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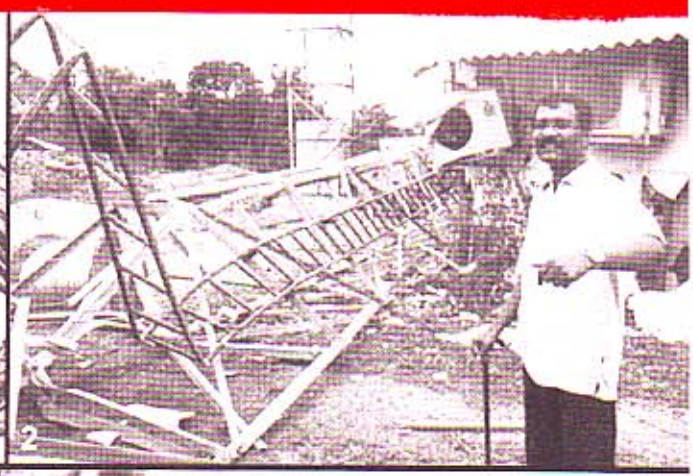

1. SLFP leader President Rajapakse and UNP leader Ranil Wickremasimghe forging alliance; 2. Scene of LTTE's broadcasting tower in Kokkavil in northern SL damaged by i bombing raids carried out by the airforce on 17 Oct 2006; 3. Body count by ICRC of of over 100 dead soldiers killed in battle with Tigers in northern Sri Lanka on 11 Oct 2006; 4. JVP leader Somawansa Amarasinghe leading protest demonstration in Colombo against Norway involvement; 5. Security service personnel inspecting the Galle harbour which was a target of Tamil Tiger attack on 18 Oct 2006; 6. Scene of the suicide truck bomb attack at Habarana in central Lanka on 16 Oct 2006 in which over 100 Navy personnel were killed.

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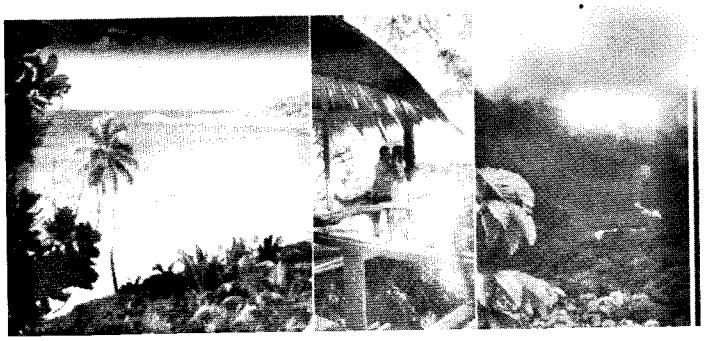

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- Voltaire

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WAR OR PEACE?

Talks are scheduled to take place between the Government and the LTTE in Switzerland later this month on 28 and 29 October in the backdrop of some of the most horrifying incidents of violence signalling a further escalation of fighting between government forces and the LTTE with the body count of casualties on both sides running into several hundreds.

The military offensive launched on October 11, under the pretext of retaliation but in blatant violation of the ceasefire, against the Tamil Tigers in the northern sector turned out to be the biggest debacle that the Sri Lankan military suffered since the ceasefire came into effect in February 2002. While scores of Tigers also died during the operation, this military misadventure led to the death of over 130 soldiers dead and over 200 injured.

On Monday, 16 October, in one of the deadliest Tiger suicide attacks in recent times, a Tiger suicide bomber driving a truck packed with explosives rammed into a convoy of buses with hundreds of Navy personnel going on vacation at Habarana in central Sri Lanka killing at least 115 sailors and wounding more than 150 others.

On 18 October, a team of 15 suicide cadres of the LTTE were reportedly killed when they, in five speed boats packed with explosives and disguised as normal fishing boats, made an attempt to mount an attack upon the Naval Base located in the southern port town of Galle in the course which they self-detonated two of their boats and the Navy reportedly attacked and destroyed the other three as they approached the mouth of the harbour.

These incidents of massive violence reflected the fact that the four-year-old ceasefire was no longer being observed by both sides, even though neither the government nor the LTTE has publicly disavowed it. They only served to mark a new high in the level of escalating violence during the last year in the course of which more than 2,000 people, half of them civilians, have been killed in fighting since April this year, according to the Sri Lanka Monitoring Mission.

The latest attacks came at the start of a week of hectic international diplomacy aimed at bringing back the Government and the Tamil Tigers to the negotiating table in Geneva later this month.

To complicate an already complex situation, the Supreme Court decision on 16 October on the merger of the Northern and Eastern provinces of the island declaring it invalid *ab initio* and had no force in law delivered another blow to any attempt at a negotiated peace to the ethnic conflict.

The Northern and Eastern provinces were merged in 1988 by the then President J.R. Jayewardane by means of presidential proclamation following the signing of Indo- Lanka Accord pursuant to which the 13th Amendment to the Constitution was enacted providing for establishment of Provincial Councils. The temporary merger of the two provinces was to have been followed up with a referendum in the Eastern province within a year seeking the will of the people of that province on whether or not they wished the merged status of their province to continue.

However since conditions required for a referendum - return of all the people who had been displaced due to the continuing conditions of war and the requirement of disarming all the armed groups - could not be fulfilled, the exercise has been postponed every year. Successive Presidents of the country have extended the merger every year since 1988, the latest Presidential order is due to expire in November this year.

The merger of the two provinces was part of the compromise deal

brokered by India which found place in the Indo-Sri Lanka Accord of August 1987.

Almost all the Tamil political parties, whether they are pro-LTTE or not, they hold the concept of a merged North-East province as an article of faith, and their reaction to the recent Supreme Court judgment on the issue demonstrates this.

Even before the latest judgement, New Delhi had expressed displeasure at any move that would de-link the two provinces. Prime Minister Manmohan Singh is on record as saying recently that Sri Lanka's Tamil majority north-east should not be de-merged without a referendum.

It is reliably learnt that it was at New Delhi'a prompting that the Co-Chairs of the Sri Lanka peace process - Norway, EU, Japan and US – in their statement of 12 September 2006 made a specific reference to the same issue by stating, "There should be no change to the specific arrangements for the North and East which could endanger the achievement of peace."

Many who wish to see a negotiated resolution to the conflict regard that a de-merger of the two provinces at this juncture will worsen the problems in Sri Lanka and make a solution more difficult. And they feel that the government has to seek ways and means of continuing with the merger until conditions in the North and East are conducive to conducting a referendum on the issue.

Except for the JVP and the JHU, none of the other parties wants the present arrangement to be disturbed. It has been reported that at the recent SLFP parliamentary group meeting many Ministers and MPs voiced their concerns saying the judgment, though it might be legally correct, would aggravate the ethnic crisis and give rise to dissatisfaction among the Tamil community.

In its judgement, the Court also provides a way out by stating that the merger of the two provinces can be effected by fresh legislation.

Expressing unhappiness over the possible adverse consequences from the judgment, and promising parliamentary support, senior members of UNP called on the Government to work towards the re-merger of the North and East through a Bill presented to Parliament.

The ruling Sri Lanka Freedom Party (SLFP) and the main opposition United National Party (UNP) are now on the verge of signing a Memorandum of Understanding (MoU) for cooperation on matters of national interest.

The problem created by the Supreme Court judgment is probably the first challenge testing the capacity of these two parties to jointly deal with and resolve common national issues such as the merger of the Northeast. The court decision has placed the issue fairly and squarely on the political arena, and the question is whether they will be prepared to bring in legislation to provide for the merger of the two provinces subject to a referendum in the east as contemplated in the Indo-Lanka agreement. If that happens, the alliance of the two parties will have passed its initial test.

Only a few days remain for the Geneva talks. It appears that they are to take place not because the parties have been converted to the cause of a negotiated peace, but because of pressure from the international community as represented by the Co-Chairs of the Sri Lanka peace process, namely the EU, US, Japan and Norway.

It is to be noted that the peace talks facilitated by Norway began in September 2002. Six rounds of negotiations between the GoSL and the LTTE took place after which the LTTE pulled out of the peace talks in April 2003. Thereafter, the process drifted aimlessly and the parties taking up positions and submitting preconditions for the resumption of peace talks without any regard to the parameters set out at the commencement of the peace process and reinforced by the Tokyo Declaration of 12 June 2003.

However, the contents of the Co-Chairs statement of 12 September 2006 seek to reinstate and bring back any proposed peace talks between the parties within the frame of the previously agreed parameters. They state that the parties should "resume negotiation and show real political commitment to achieve a political solution based on the previous six rounds of negotiation" with the "legitimate interests and aspirations of all communities, including the Tamil, Muslims and Sinhala communities," being "accommodated as part of a political settlement," and that the "LTTE must show that it is willing to make the compromises needed for a political solution within a united Sri Lanka."

No agenda has been announced for the forthcoming Geneva talks. We consider that the Co-Chairs and Norway in particular as facilitator, should get the parties to address the following matters::

(a) The need for the parties to be required to eschew the use of violence or the threat of use of violence against each other or other parties in Sri Lanka as a precondition for the peace process to be progressed. This is because the tragic experience of unbridled violence being practised during the last four years demonstrates this need;

(b) The issue of agreeing and putting into practice the Declaration of Human Rights and Humanitarian Principles drawn up by Ian Martin, the international human rights advisor to the peace process, as discussed and decided by the parties during the fifth and sixth round of talks held respectively at Berlin and Hakone in Japan;

(c) The issue of exploring a political solution founded on internal self-determination based on a federal structure within a united Sri Lanka as decided during the third round of talks between the parties in Oslo.

Discussion and agreements on these issues are basic and central to the question of War or Peace in Sri Lanka. ●

Govt-LTTE agree to talks in Geneva

Oct 19 – The Government and the Tamil Tigers have agreed to attend peace talks in Switzerland on 28 and 29 October despite the unprecedented blood-letting between the two parties in recent weeks. Though the parties and the Norwegian facilitators have not yet agreed on an agenda, they seem to have been pressured into attending the talks by the international community.

Following discussions with Jon Hanssen-Bauer, the Norwegian special envoy to Sri Lanka peace process, in Kilinochchi on Thursday (Oct. 19) the political head of the LTTE, S. P. Thamilchelvan, told media that the Tigers had given their consent to participate in the talks in Geneva after the International Community, through Norwegian facilitators, had guaranteed a safe travel arrangement. On the same day, he also met and had discussions Ambassador for Switzerland where the negotiations are scheduled to take place.

Talking to media after the separate meetings with the Norwegian and Swiss delegations at the LTTE Political Head Quarters in Kilinochchi, Mr. Thamilchelvan said the talks in Geneva dependent on Colombo acting in accordance with the International Community's security guarantees and assurances provided to Tigers.

Commenting on LTTE's reaction to call for for ceasing violence, Thamilchelvan said the facilitators were aware of the LTTE's commitment in ceasing violence. But, the Sri Lankan Government continued to engage in "state terrorism". Thamilchelvan defined "state terrorism" to include as all acts of violence by Sri Lankan forces, ranging from aerial attacks on civilian targets, extra-judicial killings, use of paramilitaries against civilians, and blocking humanitarian supplies to civilian population.

Asked whether the agenda for talks in Geneva was prepared, the Tiger Political Head said they have not discussed the topic of the talks or the details of the participants. The Tigers will inform these to Norway in a few days, he said.

When asked about LTTE's reaction to the recent Sri Lankan Supreme Court ruling that rendered the merged North-East invalid under the Sri Lankan constitution, LTTE Political Head responded by saying that the Tamil homeland cannot be devided by anyone. Tamils have not accepted the Sri Lankan Constitution, he said.

The consent of both parties to attend talks in Geneva later this month came following intensive negotiations between the Norwegian facilitators shuttling back and forth between Colombo where they had discussions with Government leaders including the President, and Kilinochchi where they had talks with the LTTE leadership headed by Thamilchelvan.

Japanese special peace envoy, Yasushi Akashi, who was in Sri Lanka in recent days also played a key role in getting the agreement of both parties to attend peace talks. The European Union countries, India and the United States also applied pressure on both parties to return to the negotiating table.

UN global Emergency Relief Coordinator, Jan Egeland of Norway, in a statement said the UN stands ready to help Sri Lanka in any way which the government and the parties to the conflict deem necessary to prevent violence and promote reconciliation.

"The United Nations and indeed the whole international community are watching the dramatic increase in violence in Sri Lanka with deep concern. All Sri Lankans benefited immensely from the cease-fire and the parties must now return to a cessation of hostilities and to resolving their differences at the negotiations table," Mr. Egeland said.

Following an earlier meeting with Yasushi Akashi, Thamilselvan said the Tigers remained committed to attending the talks later this month but stressed a political solution could not be arrived at until the attacks by government forces on the ground cease. It was impossible to discuss a political solution when killings and bombings continued adding that if the government ceased its attacks the LTTE woul reciprocate accordingly, he said. "We remain committed to attending the talks. There is no change on that. But the government action during the next few days will be the deciding factor if the talks actually do take place," Mr. Thamilche-lvan said.

Yasushi Akashi said, "We obtained commitments from Mr. Thamilchelvan that LTTE was prepared to go to Geneva for talks on the 28th October. I have insisted the importance of both sides to end all acts of violence and create an atmosphere for peaceful, sincere and honest discussions." Akashi also said that one Geneva meeting woul not deliver total and durable peace and that several meetings woul be needed. Both parties have to patient and flexible in their attitudes, but they should feel free to discuss anything and everything on their minds, Akashi added.

According to the Secretary General of the Government's Peace Secretariat, Dr. Palitha Kohona, the Sri Lankan government continued to emphasise its commitment to the proposed peace talks to be held in Geneva later this month, despite a series of very serious ceasefire violation by the LTTE in forms of suicide bomb missions. "We are committed to the October 28-29 talks. We are going to Geneva, despite these setbacks, because our objective is for a settlement through negotiations."

Government Defence Spokesman Keheliya Rambukwelle told a media briefing in Colombo that the government was ready for talks scheduled for October 28th - 29th at Geneva. He believed the talks would take place as planned. He said that different quarters question whether talks could be held under the present situation and added the government would take part in the talks not to satisfy the LTTE but because the government firmly believed that solutions should be found for the questions that confront the Tamil community that lived all parts of the country. "The All Party Conference (APC) was created to gather views from political parties including Tamil parties to formulate a solution to address the legitimate grievances of the Tamils. With all the political parties including the two major parties coming together to address this issue this is the best opportunity for the Tamils," Minister Rambu-kwelle said speaking to the media.

According to the peace secretariat website, although the composition of the Government's delegation has not been finalized yet, it is expected to include the following: Minister of Health

Care, Nutrition & Leader of the House Nimal Siripala de Silva, Foreign Minister Man-gala Samaraweera, Chief government Whip Minister Jeyaraj Fernandopulle, Minister of Housing & Construction Ms Ferial Ashraff, Media Minister Anura Priyadharshana Yapa, Secretary to the President Lalith Weeratunge, Secretary General SCOPP Dr. Palitha Kohona, Secretary Foreign Ministry H.M.G.S. Palihakkara, H.L de Silva PC, Gomin Dayasri, Chandra Fernando and Coordinating Secretary to the President Sajin Vaas Goonewardena.

The LTTE has yet to announce the names of its delegation. It is believed that in the absence of the LTTE's Chief negotiator, Mr. Anton Balasingham, Mr Thamilchelvan will lead the LTTE delegation. Anton Balasingham is unlikely to participate at the Geneva talks scheduled for October 28. He reportedly told The Sunday Leader (Colombo), "I am advised by my doctors to rest at home, avoid travelling and other strains. Under these circumstances, I don't think I will be able to participate at the peace talks in Geneva."

The announcement confirming that the parties would definitely attend peace talks in Geneva following days of devastating acts of violence on top of the daily catalogue of targeted killings throughout the Northeast of the island.

On 11 October the military suffered one of its worst debacles - 133 dead and over 200 injured - in recent times when it launched an ill-fated offensive against the Tigers in the northern sector across the Forward Defense Lines around Muhamalai. The Tigers too suffered large number of casualties.

Two days later on 18 October, two people were killed and 26 wounded in a sea-borne suicide attack by a team of 15 Tamil Tigers on the Navy Base located in the southern coastal town of Galle. In this attack which was foiled by the Navy, the Tigers had reportedly deployed five speed boats packed with explosives, two of which were self-exploded and three attacked and destroyed by the Navy. ❑

Supreme Court Annuls North-East Merger

The Supreme Court of Sri Lanka, on 16 October, ruled that the proclamations issued by the then President, the late Mr. J R Jyawardene, enabling the Northern and Eastern Provinces to operate as one administrative unit and be administered by one elected Provincial Council were null and void and had no legal effect.

A bench of five judges presided over by Chief Justice Sarath N. Silva with Justices Nihal Jayasinghe, N.K. Udalagama, Raja Fernando and N.G. Amaratunga agreeing also ruled that the failure of the then President to appoint a date by order published in the Gazette for the establishment of a Provincial Council for the Eastern Province was an infringement and continuing violation of the petitioners' fundamental right to equality.

The court observed that the proclamation made by the then President declaring the Northern and Eastern Provinces as one administrative unit was made when neither of the conditions specified on Section 31(1)(b) of the Provincial Council Act as to the surrender of weapons and the cessation of hostilities was satisfied. Therefore the court ruled that the order must necessarily be declared invalid.

The judgment stated that the 13th Amendment which introduced a new Chapter XVII A to the Constitution provides for extensive devolution of legislative and executive power to Provincial Councils.

It also stated that although the Amendment was certified on 14 November.1987 and a Provincial Council was established for the Eastern Province and each of the other 8 Provinces by order dated 3.February 1988, a Provincial Council has not been established for the Eastern Province by an election of members as required by Article 154 A (2) of the Constitution due to the imposed merger.

The court ruled that the right to have a Provincial Council constituted by an election of the members of such Council pertained to the franchise being part of the sovereignty of the people and its denial was continuing infringement of the right to the equal protection of the law guaranteed by Article 12(1) of the Constitution.

The Petitioners, JVP Parliamentarians Jayantha Wijesekera and L.K. Wasantha along with A.S. Mohamed Buhary of Sammanturai had filed separate petitions seeking a separate Provincial Council for the East.

The JVP petitioners had asked the court to declare that the Proclamations issued by former President J.R. Jayewardene on September 2 and 8, 1988 enabling the Northern and Eastern Provinces to be one administrative unit administered by one elected Council and purported amalgamation of the Northern and Eastern Provinces were null and void.

They had also sought a declaration from the court that the failure of the President to appoint a date by order published in the gazette for the establishment of a Provincial Council for the Eastern Province was an infringement and a continuing violation of their fundamental right to equality. They asked that such an order be directed to be made by the President.

They had sought another declaration from the court that the consequential failure to afford the petitioners and other inhabitants of the Eastern Province an opportunity to exercise their right to vote at an election for membership of the Provincial Council of the Eastern Province was a denial of their right to equality and equal protection of the law.

They asked the court to declare that two separate persons be appointed by the President as Governors of the Northern Province and the Eastern Province.

Background

The North and East provinces were merged 1988 by the then President J.R. Jayewardane by means of presidential proclamation following the signing of Indo- Lanka Accord pursuant to which the 13th Amendment to the Constitution was enacted providing for establishment of Provincial Councils. The tem-

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porary merger of the two provinces was to have been followed up with a referendum in the Eastern province within a year seeking the will of the people of that province on whether or not they favoured merger.

However since conditions required for a referendum - return of all the people who had left the two provinces in view of the disturbed situation and disarming of the all the armed groups - could not be fulfilled, the exercise has been postponed every year. Successive Presidents have in the country have extended the merger for a year since 1988 and the latest Presidential order on the merger is due to expire in the month of November.

The court judgment de-linking of the East from the North has come against the backdrop of the Co-Chairs of the Tokyo Donor Conference - Norway, EU, Japan and US - advising against such moves. In a joint statement issued from Brussels on 12 September 2006 making reference to the subject of merger of north and east they declared: "There should be no change to the specific arrangements for the North and East which could endanger the achievement of peace."

India's stand

Sources in the Ministry of External Affairs in New Delhi reportedly told Hindustan Times that the judgment was "unfortunate". But since the court had given the ruling on legal grounds, there was nothing that India could do about it. It was for the Sri Lankan government to look at remedies if it was interested in continuing the merger.

There are indications that the Rajapaksa government was exploring the legal and constitutional route in this regard. Perhaps, the government could secure the help of the opposition United National Party (UNP) to make suitable legal provisions to continue the merger.

The ruling Sri Lanka Freedom Party (SLFP) and the UNP are now on the verge of signing a MOU for cooperation on matters of national interest. Moreover, it was an UNP government, which had brought about the merger in the first place, it is pointed out.

The UNP has called on the Government to work towards the re-merger of the North and East through a Bill in Parliament if they wanted the peace process to move forward smoothly. "It is President Mahinda Rajapakse's responsibility to present a bill before Parliament to re-merge the North and East if he wants to restore the status quo," Lakshman Kiriella, Senior UNP MP, said. He added that its implementation depended on the will of the government.

Asked if the UNP would support a bill to merge the two provinces, particularly given the certainty the JVP would oppose it in parliament, Kiriella said they would do so subsequent to studying the clauses of the bill. "In such an event, we will examine the Bill and if it is satisfactory, give our support to the government for the necessary two-thirds majority," he said.

JVP hails order

Predictably, the JVP and the JHU were jubilant and hailed the Supreme Court judgment for the de-merger of the North-East as a great victory for the people.

Wimal Weerawansa, Parliamentary Group Leader of the JVP which initiated the Court action, said not only the court order but the day itself was historical. "The inhabitants rose up in rebellion

against the first white governor and against the British imperialism on a day like today in 1818. So it is remarkable that this order which will have an enormous impact on the so-called Eelam concept was made on such a day. The merger of North and East forms the bedrock of Tamil Elam separatist policies," he said.

Mr. Weerawansa said it was a victory for all people that the Supreme Court corrected a grave mistake committed in history even after 19 years. Asked to comment on the impact of this order on the peace process, Mr Weerawansa said: "It's not relevant to us, what impact an order given by the country's Supreme Court would make."

Meanwhile, JHU's Legal Advisor Udaya Gammampila said this order had done justice to the majority of people.He said it was a pleasure to note that they too contributed to waking up of a nation which had been in a deep slumber for 19 years.

The North and East Sinhala Organization (N-ESO), which expressed its satisfaction at the judgment to de-merge the two provinces, said it would help ensure safety and rights of all communities in the North and East Its President Ven Senpathiye Ananda Thera said the government in the past had turned a deaf ear to the request made by the organization to de-merge the North and the East. He said majority of the people would be happy about this court order as it was a defeat for the LTTE

Former North East Governor and former J.R. Jayewardene - Cabinet member Tyronne Fernando said the judgment to de-merge North and East was a far-reaching one. He said North and East was too large a unit for a single Governor and one administration. However, he said the merger of the North and East was a temporary one.

More harm than good

However, there are important mainstream political leaders, even on the government side, and civil society leaders who think that the judgment would do more harm to the cause of peace and understanding, than good.

President Mahinda Rajapaksa and Government Parliamentary Group members criticized the landmark judgment that the merger of the Northern and Eastern Provinces was illegal, saying that this was not best time for such a decision.

Consumer Affairs Minister Jeyaraj Fernandopulle warned that the judgment would aggravate the ethnic crisis though it may be legally correct.

The Minister told the Group meeting held at the Parliament complex on 16 October that the country would internationally be placed in a bad position and that it would give rise to dissatisfaction among the Tamil community, especially at a time when the whole peace process was at stake.

Foreign Minister Mangala Samaraweera, Constitutional Affairs Minister D.E.W. Gunasekara, Health Minister Nimal Siripala de Silva and Public Administration Minister Sarath Amunugama too joined in saying the judgment was ill-timed and that it would "aggravate the ethnic crisis."

President Rajapaksa however stopped short of openly criticizing the judgment but insisted that whether the North and the East should be merged or de-merged should be a matter left to the people in the area to decide through a referendum.

Almost all Tamil political parties stressed the need to continue with the merger as a prerequisite to resolving the ethnic problem. The pro and anti-LTTE Tamil parties subscribed to the same view with the TNA describing the new development as something running counter to the aspiration of the Tamil community.

TNA Jaffna district MP M.K. Sivajilingam told the media that the situation would now compel them to secede and form a separate state in the greater interest of their community. "We see the situation as a declaration of war against Tamils," he said.

Tamil National Alliance (TNA) parliamentarians on Tuesday (17 Oct) morning disrupted the proceedings of the Sri Lankan parliament, protesting against the Supreme Court ruling annulling the merger of the Northern and Eastern Provinces into one unit. The Tamil MPs protested in the assembly against the Sri Lankan judiciary which they charged was being used to nullify any arrangement towards a peaceful resolution of the national problem. Sri Lankan judiciary has always acted against the Tamil interests since the island received independence from the European colonial powers, the MPs charged.

TNA parliamentarians on Thursday (19) morning walked out of the Sri Lanka's parliament in protest of the Supreme Court ruling. Gajendrakumar Ponnambalam in a statement to the parliament said his party would boycott the sittings of the parliament until the Government of Sri Lanka (GoSL) revealed its stand on the merger decision, parliamentary sources said. He said the SC order on the merger of two provinces has scuttled the opportunity to find a political solution to the Tamil national problem within a united Sri Lanka. He said TNA parliamentary group would boycott the parliament and that the government should reveal its stand before November 7th on the Supreme Court order on the merger of two provinces.

Soon after Mr. Ponnambalam concluded his statement, TNA parliamentarians got up and walked out the parliament, TNA sources said.

The TULF declined to comment on the court order delivered by a five member bench. Party leader V. Anandasangari said the recent developments in the country, including the latest court order on Northeast de-merger issue was now helping to strengthen the hands of Tigers to score over Government in the eyes of the international community.

The EPDP, a Tamil party allied to the Govrnment said the judgement was in line with the present constitution, and therefore they had no comment on it. Party spokesman S. Thavarajah said they, however, stood for the merger of the two provinces under the constitutional reforms in the future to resolve the Tamil national question.

D Siddhrathan of the pro-government Peoples' Liberation Organisation of Tamil Eelam (PLOTE) said that de-merger would hamper the task of finding a solution to the ethnic conflict. Having helped bring about the merger of the North and the East through the 1987 Accord, India should take "credible" steps to see that the merger continued, Siddharthan said.

SLMC leader Rauff Hakeem said the North and East conflict would not come to an end with the de-merger. "We will closely monitor the possible implications of the judgment that annulled the merger. Whatever they may be, the SLMC will continue to guide the community promoting co-existence among all three communities," he said. "When the decision was taken to merge the Northern and Eastern provinces, Muslims - the dominant community in the Eastern province were not consulted. We never asked for a merger or a de-merger," Mr Hakeem said. ❑

Armed forces suffer major debacle in northern battle

D B S Jeyaraj

Wednesday, October 11, was the day of the Tiger in the northern theatre of war. The 'defensive' offensive launched by the armed forces of the Government of Sri Lanka (GOSL) was repulsed by the Liberation Tigers of Tamil Eelam (LTTE) in a day of fierce fighting from dawn to dusk in the Kilaly-Muhamalai region of Jaffna peninsula.

The Sri Lankan Army commanded by Lt. Gen Sarath Fonseka suffered what was easily the single biggest debacle in recent times after the GOSL began its series of "Defensive Offensives" against the Liberation Tigers. At least 130 soldiers were killed and 519 wounded while the LTTE suffered 22 deaths and an unknown number of injured cadres. Both sides have now returned to their earlier positions and are engaged in sporadic, low - intensity artillery fire.

The military advance was not unexpected as preceding events pointed to a high military build - up in the area. There had been intermittent exchange of artillery fire for many days between both sides along the Forward Defence Line (FDL) axis of Kilaly - Eluthumattuvaal - Nagar Kovil axis in the lower peninsula. There was also aerial bombardment of areas described as LTTE positions by the GOSL for many days.

Both sides strengthen defences

The past few days had also seen a massive increase in military preparations by the GOSL. The Tigers protested at this visible military build - up to Norway. At the same time the LTTE also began strengthening its defences .The GOSL denied that it was planning an offensive. It re-iterated that the armed forces would only defend themselves or enhance defence by "neutralising" LTTE positions. Since this has been the usual excuse of the GOSL in justifying military operations it was a foregone conclusion that a 'defensive offensive' was on the cards.

The night of October 10 saw the intermittent artillery fire escalating. The morning saw military movement on ground. Troops first broke out before dawn from the Nagar Kovil camp in Vadamaratchy East along the peninsula's eastern coast. Troops from Kilaly along the South - Western coast of the peninsula commenced moving out at first light. Troops from the Eluthumadduvaal base in the peninsula's south started out after daybreak.

By 6. 30 am there was forward movement by troops on all three fronts. K- fir bombers and Mi 24 helicopter gunships engaged in aerial bombardment to help facilitate troop movement on ground. Naval gunboats fired from the sea at coastal points between Nagar Kovil and Thalaiyaddy.

Diversion

The LTTE also began firing their artillery. By 7.30 the Nagar Kovil troops called it a day and turned back. It was an apparent manoeuvre to divide enemy attention. Naval gunboats however continued to patrol the coast along Vadamaratchy east and Pachilaipalli.

Troops moving out from Eluthumadduvaal did not focus on Muhamalai as expected. The army had already advanced about 800 metres into LTTE controlled Muhamalai and reached the outer perimeter of LTTE lines. Instead of pressing home this advantage further, the armed forces veered south - westwards and continued.

The troops moving along the coast from Kilaly also changed course. These personnel moved inwards in a South - Easterly direction. Both columns were now spreading out and advancing in the region between Muhamalai and Kilaly. If this advance was successful, the troops could go around Pallai and reach the A- 9 highway or Jaffna - Kandy road at a point close to Iyakkachchi. From there it would have been only a 'short, short way' to Elephant Pass.

The troops were also using a lot of battle tanks, armoured cars, armoured personnel carriers and heavy vehicles like bulldozers to clear the way. After pathfinder troops advanced the tanks and armoured cars followed and established a safe route through the underbrush . Then bulldozers cleared and flattened the area as far as possible. The main formations of infantry troops then advanced along ground cautiously.

The LTTE resistance to these rapidly advancing columns seemed feeble. The artillery fire lacked vigour. Earlier attempts to advance through Muhamalai via the A - 9 axis had seen the LTTE deploying innumerable claymores and anti - personnel mines along the route. This time the mines and booby traps were conspicuously scarce. It looked like the army was going to repeat its Mawilaru, Muttur, Sampur, Muhamalai successes.

GOSL propaganda

The GOSL and its armed forces had certainly been confidently cocksure in the recent past. It considered the limited successes it had enjoyed earlier as a predictable pattern. The GOSL has been engaging in propaganda that the Tigers were at a low ebb. This propaganda was widely believed and had led to a strident demand in the south, that an all out war be conducted against the LTTE. As former air force chief and father of present air force commander, Harry Goonetilleke observed the "Government believed its own propaganda."

The seeming docility of the LTTE had given the wrong picture to the GOSL. The strategic withdrawals by the LTTE in recent times had bolstered this feeling. Even during the current battle the Tigers had let the army move in without much resistance. An overconfident army had either walked into or been lured into a deadly trap.

By 9. 30 am the GOSL troops seemed to have penetrated nearly 2 - 3 miles deep into Tiger territory in the Pallai region. Some vanguard troops were even further up from the main body. It was around this time that the roaring Tiger pounced. The advancing troop formations were breached in three points.

The vanguard column was attacked at a certain point and pressured to retreat sideways. The troops found a chain of deadly mines being triggered like some gigantic fireworks display. LTTE firing intensified. A whole company was wiped out. The main advancing body was attacked frontally . Tigers also attacked the military in the rear. It was a virtual encirclement of GOSL troops.

The fighting soon transformed itself into artillery and mortar firing. The LTTE

kept up an intense barrage. One tank was demolished. Three other armoured vehicles were greatly damaged. The intense battle went on for five hours till 2. 30 p.m. The air force flew only one sortie during this period. It was unable to engage in customary indiscriminate aerial bombardment because it may have hit GOSL troops. Helicopter gunships were worried about getting hit by LTTE's surface to air missiles. The army was all alone.

There was practically no close combat or face to face fighting. The bulk of the fighting consisted of tank and anti - tank firing, artillery shelling and mortar fire. The GOSL usually fires artillery barrages indiscriminately and intensely, against perceived LTTE positions. Superior firepower is used to its advantage.

Army restricted

This however did not work out in this instance as the GOSL troops had advanced and were widely scattered. It was not possible to fire from Kilaly or Eluthumadduvaal at random for fear of hitting own troops. The army was therefore restricted initially to field artillery and mortars. The LTTE apparently advanced to comparatively close quarters and fired RPGs and 60 mm shells from portable artillery.

The LTTE at one point advanced beyond original FDL's into army controlled areas. They turned back after a while and began clearing operations. The heavy fighting gradually subsided after 2. 30 p.m. Intermittent artillery fire of low intensity continued throughout the night. It continued even on Thursday (12).

The armed forces had incurred heavy losses. About 20 privately owned vans and mini-buses were commandeered by the armed forces to supplement army vehicles in transporting the dead and injured back from the frontlines. Troops suffering major injuries were taken to the Varany camp in the Thenmaratchy sector. Three helicopters then air lifted them to Palaly. Thereafter they were flown to Colombo and Anuradhapura for treatment. Vehicles took those with minor injuries and dead bodies along the road in Jaffna to Palaly.

Initially, GOSL and defence services spokespersons tried to obscure the truth. They gave ridiculously low casualty figures. Later the various security force websites began increasing casualty figures. Different news agencies quoting unnamed defence sources began giving out comparatively accurate figures. By the end of Oct 12, an accurate picture began emerging.

At least 130 soldiers had been killed. Of these 55 bodies were retrieved by security forces themselves. 75 were retrieved by the LTTE. 74 of these bodies were handed over to the Red Cross at the Kilinochchi playground by the LTTE's Paavannan who usually interacts with international organisations. One of the bodies retrieved by the LTTE was not given to the Red Cross on time due to a transport problem.

A total of 519 soldiers were injured. Of these 283 were brought to Colombo and 40 to Anuradhapura. Colombo residents saw and heard ambulances and sirens throughout night and day. The other injured soldiers, many of them walking wounded, are in the Palaly hospital.

More bodies

According to LTTE defence affairs spokesperson Ilanthirayan, there may be more dead soldiers whose bodies are yet to be located. Some of the injured soldiers could succumb to their wounds. He said the final tally of dead soldiers could be over 200. It must be noted that according to some reports, the army says 78 personnel are still "missing."

Interestingly enough some GOSL and defence spokespersons are saying that the LTTE suffered more than 200 deaths. One newspaper has put the LTTE casualty figure at 400. One journal, which usually goes to town with stories of security force victories remained silent. There were no stories from the battlefront. News agencies, which initially wrote about "contradictictory" claims of casualties on both sides, had after 48 hours concluded that the armed forces had suffered a major debacle.

According to Ilanthirayan there were 10 LTTE deaths at the end of October 11. With some of the seriously injured dying, the toll had risen to 22 the following day. There is a strong possibility that the Tiger casualty figures could go up in the coming days. The number of injured LTTE cadres is not known. Of those killed, the most senior Tiger so far is a woman 'Capt' Isaichelvi. Among those killed at least four were from the auxiliary force known as "Makkal Sirappu Padai."

Tigers guilty of deception

Given the recent LTTE track record there is a strong possibility that the Tigers are deliberately playing down their casualty figures. The glaring disparity between GOSL and LTTE casualty figures make many suspicious. There was a time when the LTTE never hid its casualty figure, but in recent times, the Tigers have been guilty of deception. Even if the LTTE is being economical with the truth, in this instance the "supressed" figures may not be large because of the nature of fighting.

The GOSL was advancing and the LTTE defending. The defender is usually at an advantage. The army was also practically encircled at one point. Also the Tigers seem to have used mortars and RPGs with deadly precision, thereby killing and injuring many soldiers. It must be remembered that hand to hand fighting was virtually non-existent. One story doing the rounds among defence circles in Colombo was that the LTTE had fired some sophisticated artillery or missiles never used earlier

At least one soldier was taken alive by the LTTE. Samantha Weerasinghe of the Fourth Gemunu Watch is now undergoing treatment at the Kilinochchi hospital. The ICRC has inspected the 18 year old youth. According to Colombo sources the Fourth Gemunu Watch has been practically decimated. The special airborne and mechanised units have also been affected. It is said that soldiers of the 53rd Division comprised the assault force numbering over 5,000.

Major loss for LTTE

Significantly the LTTE suffered a major loss before Wednesday's fighting. On October 7, Lt. Gen. Akbar of the LTTE was killed along the Muhamalai FDL as a result of an army shell. Akbar who is a Batticaloa Tamil was the head of the Victor anti-armoured artillery unit, which specilises in combatting tanks and armoured vehicles. Akbar who joined the LTTE in 1990 got married in 2003. He was from its inception, the chief of the Victor unit. It was named after former Mannar Tiger commander Victor.

This unit known generally among LTTE cadres as the "RPG Commando" had its roots in the "Col" Kittu artillery unit and its baptism of fire was during "Operation Sathijaya." It then became a sub-division of the "Imran-Pandian" until named after two of Pirapaharan's trusted bodyguards. By 1997-98 the anti-armoured artillery unit began functioning independently under Akbar. Members of this unit have vertical and

not horizontal stripes on their uniforms. Though many stalwarts of this unit like Maj. Navachandran, Lt. Col. Manivannan and Lt. Col. Chutta are no more. Akbar had survived despite being a veteran of many "Jayasikuru" and "Oyatha Alaigal" battles.

Blood sacrifice

Akbar's death at a critical time may very well have affected LTTE fortunes as the Victor unit was of crucial importance in countering army advances. His death however seems to have inspired his unit members to perform well during war. Instead of being a bad omen, it seems to have become the 'blood sacrifice' made to the gods before war to ensure victory. This was a practice in the lost martial tradition of the Tamils that is now being revived by the Liberation Tigers.

Whatever the statements made by GOSL and defence spokespersons about the armed forces responding to attacks by the LTTE on the Kilaly-Elathumadduvaal-Nagar Kovil FDL, it was common knowledge before hand that a major onslaught of a 'defensive-offensive' nature was imminent. The objective was to take Elephant Pass before talks began in Geneva.

It was only last week that this writer drew attention to this prospect in these columns. A brief excerpt: "Mahinda and his minions are more concerned with the taking of Elephant Pass before talking in Geneva. Against that backdrop the Elephant Pass offensive seems a definite possibility unless extra-heavy international pressure is exerted on Colombo to desist. Poor Norway is powerless in this. Only the super powers and regional powers can restrain the Rajapakse regime in this. If the IC is really genuine about a political settlement some positive, preemptive pressure on Colombo is a prerequisite."

At a time when the country was being carried away with the belief thatthe Tiger had become a kitten (Koti dan poos patiyek) this writer warned that such an assumption was wrong. "There is also an unknown factor. Colombo's calculations are based on the assumption that a military success over the LTTE is inevitable in Elephant Pass. The best laid plans of men and mice go awry. Whatever the crowing in Colombo, the Tigers are still not a spent force. They have 'lost' battles, but not the war. It is also a moot point as to whether Velupillai Pirapaharan would continue to let the Rajapakses and Fonsekas define the venue and terms of conflict. There may be unexpected twists and turns on the road to Elephant pass," was what I wrote last week.

Major offensive

It became soon apparent that a major offensive was being planned. Military vehicles had been moving south along the Jaffna - Kandy road, bringing in men and material to Kodikamam - Mirusuvil - Varany region. Some vehicles had taken stuff to Ariyaalai and Ariyaalaimunai, its coastal point along the Jaffna lagoon. Vehicles had also moved along the Jaffna - Point Pedro road and then de-toured to Varany on the Point Pedro - Kodikaamam road. The vehicular movement indicated that war materials were being brought from Palaly - Kankesanthurai in readiness for a large - scale operation.

The GOSL denied charges of an offensive being planned. It was acknowledged that war materials were being moved to the frontline, but the explanation proffered was that depleted stocks were being replenished as a matter of routine and not for offensive purposes.

The LTTE also warned of an imminent GOSL offensive under the pretext of combatting alleged LTTE attacks. Tiger political commissar Suppiah Paramu Tamilselvan asked the Sri Lanka Monitoring Mission (SLMM) to go to the frontlines and ascertain for themselves who the real aggressors were. The GOSL however refused to provide access to the SLMM. The excuse was that their safety could not be guaranteed. This act showed that the GOSL was hiding something.

Sea - borne attack

The armed forces also commandeered more than 200 boats belonging to Gurunagar - Pashaiyoor fisherfolk. Marine exercises were undertaken with these boats on October 9 and 10, in the Jaffna lagoon. It appeared that the armed forces were planning to launch a sea - borne assault, across the lagoon to Poonagary on the lagoon. Since the waters were shallow, heavy naval boats could not be used and hence the lighter fishing boats it was felt. Intensive aerial bombardment and artillery firing on Poonagary and adjacent Kalmunai strengthened this belief.

On Tuesday (October 10), the GOSL authorities in Jaffna announced a 45 hour curfew from 8 a.m to 5 a.m and on Thursday (12), in certain places like Koilakkandy, Thanankilappu, Kachai etc. These were all vantage points on the peninsula from where a lagoon crossing to the mainland could have been done.It was widely believed then that an amphibean operation was to be conducted soon.

Colombo's intentions

The conduct of President Mahinda Rajapakse provided further clues about Colombo's intentions.When representatives of the four Co - Chairs of the peace process met Rajapakse, they requested the GOSL to refrain from undertaking military operations, because talks were scheduled on October 28 and 29. Rajapakse however parroted his familiar stance about reserving the right to defend the country from LTTE attacks. If that was one indication, there was also the symbolic gesture of climbing the cockpit of an Israeli K- fir Jet. These bombers have wrought much civilian destruction and the pilots responsible are potential contenders for a war crimes trial. Yet Rajapakse deliberately identified himself with these embodiments of aerial terror.

Against that backdrop, there seems little chance of the campaign for war ceasing. There may be a lull in the fighting, but the GOSL will certainly continue with 'defensive - offensive' operations. The Rajapakse regime is built on a war agenda. Rajapakse and his sidekicks have gone too far in projecting themselves as latter day Dutugemunus to hold back now. The Rajapakse regime has enhanced its image in the south, that it will not bow down to Tiger might. It cannot go for talks after a resounding defeat.

In the self - perception of the GOSL and its armed forces, too much is at stake to call off war now. More battles are likely to follow, until a decisive stage is reached.The LTTE too cannot lower its military resistance.This situation cannot change for the better until and unless the international community is serious and sincere about ending the war and promoting peace in Sri Lanka.

So then, the fighting will very likely continue. The sword - bearing lion and grimacing Tiger cannot purr and meow like lesser felines. The Sinhaya has to roar and the Puli has to growl. The country in general and the Tamil people in particular can only cry out Aiyo! ❑

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Truck-bomb attack kills over 100 navy men

Navy personnel, some bound for their base in Trincomalee and others heading South on vacation had gathered at Diganpathana to board buses to their respective destinations when, on Monday 16 October, an explosives laden truck driven by a suspected suicide bomber belonging to the Tamil Tigers rammed into the convoy of buses killing at least 115 sailors and injuring over 150.

The attack near the town of Habarana, about 190 km (120 miles) northeast of the capital Colombo, was one of the worst suicide bombings even by the high standard set in Sri Lanka where the Tamil Tigers have carried out innumerable such attacks in past years.

The attack came at the start of a week of hectic international diplomacy aimed at ending a rash of fighting between the military and Tamil Tigers ahead of planned peace talks in Geneva on October 28-29. Many feared that this attack was likely to be a setback to the proposed talks. "It's a serious and brutal attack," said SLMM spokesman Thorfinnur Omarsson. "We hope it will not have difficult consequences for the peace talks. It is important the talks are not affected by this."

According to reports, the explosives laden truck had come from the Dambulla end but strangely it had not been checked at the Mirisgoniyawa check point. Mirisgoniyawa is the junction where the road branches off to Anuradhapura and Trincomalee. Habarana is on the Trincomalee Road. Digampathana is in between Inamaluwa and Habarana on this road.

The victims were mostly Navy sailors going home on vacation, but some civilians in the area were also killed, military officers at Colombo's Media Center for National Cecurity said. "This inhuman act is clear revenge by the terrorists on the Navy which inflicted successive defeats on the LTTE against their attempts to smuggle arms and explosives in the recent past," the Center said in a statement.

Officers said the attack took place near a transit camp where the Navy gathers its men heading to or returning from the eastern naval base of Trincomalee. "There were about 15 buses and 13 were damaged in the explosion," according one Navy officer. The convoy had stopped near the town and many sailors had stepped out of their buses when the suicide bomber rammed the explosive laden truck into the vehicles, he said.

"The sailors were in civilian clothes and were not carrying weapons because they were either going on leave or reporting back after vacations," he added.

There were some small shops in the area and civilians were also caught in the blast, he said, adding that the toll could go up as bodies had been blown to bits and a count was still on.

A witness said that several of the buses attacked had caught fire, while the truck driven by the suicide bomber was destroyed. He said the body of the truck driver was found about 50 meters (yards) from the scene.

Local journalist Indumathie Jayasena was among the first people given access to the scene. She described the aftermath of the blast. "Everywhere there were scattered bags of clothes, helmets, boots, equipment and the belongings of the sailors, whatever they must have been taking on holiday. There is debris from the suicide bomber's vehicle as well."

She said that the blast took place in a bus park used by the navy for sailors going on leave. "There were about 14 buses carrying sailors in the convoy. They were parked at the spot and they were all damaged. People do not live nearby and so there was no damage done to homes or to civilians."

Tiger military spokesman Rasiah Ilanthiraiyan said he had to check with a regional commander if the LTTE was responsible. But he said the bombing could be justified if it was indeed the Tigers who had carried it out as government forces also launched attacks outside the war zone and on civilians. Tacitly admitting that they carried it out, he said, "When Sri Lanka air force bombers continue to bomb targets in Tamil homeland ... how could anybody expect the Tigers to refrain from targeting military installations."

This massive attack with the loss of so many Navy personnel constitute a big blow to the government forces, particularly coming after the debacle suffered by the army when over 130 soldiers were killed and over 200 injured in the northern sector on 11 October.

The Presidential Secretariat in a statement claiming that the dead and injured were unarmed sailors said that the carnage was yet another example of the LTTE's "cowardly use of extreme violence against unarmed services personnel." It was further proof of the LTTE's "unmitigated commitment to violence to achieve its ends," the statement said adding that it was in total disregard of the international demand that the LTTE abandon violence and seek a peaceful way of achieving its goals. "It was significant that this attack took place as envoys from Japan, the US and Norway were arriving here to discuss progress in the peace process and the up coming talks in Geneva," the statement pointed out.

The day following the Habarana attack, in bombing raids carried out by the SLAF against LTTE targets, attacked and destroyed a Tamil Tiger radio tower in the north.LTTE officials said the main 500-foot-high broadcast tower at Kokkavil had been destroyed after being hit 25 times during bombing on Tuesday (17) morning. An electricity generator and two vehicles were also destroyed in the attack, the pro-rebel TamilNet website reported.

Monday's attack was yet another sign that the four-year-old cease-fire was no longer being observed, even though neither the government nor the rebels have publicly disavowed it. It was also part of an increase in violence over the last year: more than 2,000 people, half of them civilians, have been killed in fighting since April, according to the Sri Lanka Monitoring Mission.

Condemnation

The UNP strongly condemned LTTE attack on Navy personnel at Habarana. A statement released by Deputy Leader Karu Jayasuriya said: "The UNP strongly condemns the killing of 100 persons including Sri Lanka Navy personnel and civilians by the LTTE terrorists at Habarana and conveys its deepest condolences to the families of all those who were killed in the savage attack. The UNP also condoles with the families of soldiers who were killed in fighting at Muhamalai. During the UNP administra-

tion we were able to stop the war and save the lives of the civilians and the members of the armed forces but it is to be regretted that the situation had changed now. We will cooperate with the government in its efforts to save the lives of our citizens and eradicate terrorism."

UN Secretary General : While deploring the escalation of violence in Sri Lanka, UN Secretary-General Koffi Annan termed the attack as "appalling" and stressed that a return to civil war would not resolve the conflict. "He calls upon all parties to refrain from the use of force and to return to the negotiation table at the end of this month, as tentatively agreed by the Sri Lankan government and the LTTE," Mr. Annan's spokesman said.

United States: The United States condemned the LTTE for the carnage and stressed the importance for the rebels to renounce terrorism because it was only by ending violence, a renewed commitment to peace talks and a constructive engagement by both sides could a political solution be achieved. "Though there have been no claims of responsibility, this attack is in keeping with the tactics of the LTTE. As we and others in the international community have made clear, the LTTE must renounce the use of terror. Only through the cessation of violence, a renewed commitment to peace talks, and constructive engagement by both sides can a political solution to this conflict be achieved," State Department spokesman Sean McCormack said in a statement.

Australia: Australia's Foreign Minister Alexander Downer condemned the attack, which he called a "deplorable act of terrorism." Downer also blamed the LTTE for the attack, and urged both sides to return to the negotiating table. '"Australia is gravely concerned at the trend towards increasing violence in Sri Lanka," Downer said in a statement. "It is only through the cessation of violence and a negotiated settlement that a lasting solution is possible."

New Zealand: Prime Minister Helen Clark said there was no possible justification for such dreadful carnage and emphasized that the only way forward was through negotiations adding that the Sri Lankan community in New Zealand were concerned about recent developments in the island.

"This is the latest tragedy in Sri Lanka where security has deteriorated over the recent months. At least 2,000 people have already been killed in the violence in Sri Lanka this year. There is a significant Sri Lankan community in New Zealand who I know are deeply concerned about recent developments in the country. New Zealand calls on the parties to the conflict in Sri Lanka to cease all hostilities immediately, and create a favourable environment for the peace talks scheduled to open in Geneva on October 28. The only way forward is through negotiations," Ms. Clark said.

France: France firmly condemns the attack on 16 October 2006 which caused the death of 100 and injuring more than 150 sailors. France offers her heartfelt condolences to the families of the victims and hopes the numerous injuries will have a prompt recovery. France expresses her sincere sympathy to the Sri Lankan authority. France has been preoccupied by the continuous spiral of violence over the last weeks. The Sri Lankan conflict cannot be solved through weapons and only a negotiated political agreement can end it. Consequently France requests all parties to stop violence and resume rapidly negotiations in order to reach a political solution. ❑

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Tigers target navy base in daring suicide attack

Oct. 19 - Suspected Tamil Tigers, posing as fishermen, blew up two of their boats packed with explosives in a suicide attack on the Dakshina Naval Base located in the Sri Lankan southern port city of Galle on Wednesday 18 October.

While the Tiger suicide squads blew up two of their boats at the entry point of the harbour, the Navy reportedly attacked and destroyed the remaining three boats which exploded in flames, according to Sri Lanka's Defence ministry spokesman. All the attackers were reportedly killed, but it was not clear as to how many of them were aboard the LTTE's boats. However, the pro-LTTE TamilNet Web site reported that a 15-member attack team had entered Galle harbour in five boats and that three boats exploded.

Two of the Navy's Inshore Patrol Craft (IPC) and one Coastal Patrol Craft (CPC) were "slightly" damaged in the battle. One sailor was killed.

The 20 injured, including seven civilians, were brought to hospital in Galle town, said hospital spokesman Dr Shelton Perera said.

A curfew was clamped on Galle town, a popular tourist destination, to facilitate search operations for any Tigers who might have entered area by land, according to Inspector General of Police Victor Perera. "The army is now moving from house to house to conduct the search operation. But it has been difficult to get the people away from the streets as some of them are still looking to get their children from the schools," said Perera. "We have brought the situation under control and are only carrying out a search operation," he said.

It appeared that the LTTE had decided to step up its offensive against the Sri Lankan military. It was the second attack on the Navy in the same week. On Monday, 16 October, a Tiger suicide bomber rammed a truck filled with explosives into a convoy of buses carrying Navy transporting hundreds of Navy personnel going on vacation at Habarana in central Sri Lanka killing at least 115 sailors and wounding more than 150 others in one of the deadliest Tiger attacks in recent times.

In a statement, the military said five Sea Tiger suicide boats had arrived to attack the Dakshina Naval Base in Galle at 7.45 a.m. "These boats were disguised as normal fishing boats. When the Navy closed up for inspection three boats approached the Naval boats. The Navy destroyed three suicide boats and the other two approached towards the Galle harbour self-detonating at the entrance. One sailor was killed in the incident while 11 were injured. One sailor is missing in action. The situation has been brought under control," it said.

Dead bodies of seven of the LTTE suicide cadres who perished in the failed attempt to attack the Dakshina Naval Base were found washed ashore on Thursday (19) afternoon, according to Deputy Inspector General of Police for Southern Province. The bodies of those four dead Tigers were found washed ashore by civilians and the Police as normalcy returned to the town of Galle, he said.

Navy Spokesman Commander D. K. P. Dassanayaka in a later detailed statement said, "The Navy Wednesday (18) morning at about 7.45 a.m. foiled an LTTE attempt to launch a suicide attack on the Dakshina Naval Base when it destroyed five suicide boats speeding towards the harbour, mingling with fishing boats.

"Inshore Petrol Craft (IPC) located at the Marshal Point, where the Navy conducts routine checks on the boats entering the harbour, spotted the Tiger boats speeding towards the harbour entrance at around 7.45 a.m.

"Naval troops on board the IPCs and the shore batteries engaged the Tiger boats, completely destroying three of them. The remaining two suicide boats were blasted just outside the harbour entrance. The blasts damaged two Water Jets (Inshore Petrol Craft) of the Navy."

He said in the encounter that lasted nearly 15 minutes, one sailor was killed and 12 others injured. Two sailors were also reported missing following the confrontation. "We believe at least 10 LTTE cadres on board the suicide boats were killed," he said adding, "The LTTE tried to enter the Naval base by mingling with the innocent fishermen but they failed in their attempt as the Navy detected them before entering the harbour."

The Navy had spotted suspicious boat movements off the Yala coast on the previous night (Tuesday, 17 Oct) prompting search operations in the area with residents also being alerted. Although it was not clear if they were the same boats which attempted to infil-

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trate the Naval Base in Galle. Navy spokesman D.P.K. Dassanayake said while he was unable to make a detailed report due to security concerns, the Navy nevertheless had deployed patrol craft that very night to investigate.

Security experts however believe there was a serious security lapse considering the fact that despite the spotting of "suspicious boat movements off the Yala coast the previous night" the LTTE's attack boats had however managed to get close to the mouth of the harbour not far away from the location of the Dakshina Naval Base.

Dassanayake denied rumours that the LTTE fired Rocket Propelled Grenades (RPGs) from the nearby Rumassala Hill which is on the southern flank of the Naval base. "They cannot fire RPGs from such a long distance" he said. The Tigers had fired RPGs from their craft before they were destroyed, he said. Asked about a bigger LTTE vessel disappearing in the sea when the smaller boats were attacked, he dismissed the suggestion. There were many vessels in and around the area but they couldn't have come on the LTTE mission, he said.

Though daring in its endeavour, the fact is that the LTTE lost five of its speed boats posing as fishing vessels and an estimated 15 of its Black Tigers belonging to its Sea Tiger wing in this failed operation. The identity of those cadres who perished in this operation will not to be known until such time as the LTTE leadership decides to publicly honour them by including them in their list of 'martyrs'.

The attack came only days ahead of scheduled talks between the Government and the LTTE starting October 28 in Switzerland. Though both sides have committed themselves to the talks, fears have been expressed that the attack could jeopardise its prospects.

Analysts and government officials believe the latest attacks are an attempt by the Tigers to demonstrate their strength before they sit down for peace talks scheduled to be held in Geneva later this month.

The Government, claiming that its forces had 'repulsed' an attack by the Tigers on the Galle harbour and SL Navy camp Dakshina, asserted that it would not be deterred by such acts in the run up to the October 28 and 29 talks with the Tamil Tigers. "All essential steps to safeguard the Naval Base have been taken and the Government appeals to the people not to be misled by the false rumours," it said

Cabinet Minister and Government's spokesman on defence matters, Keheliya Rambukwella, accused the Tamil Tigers of launching deadly attacks in the south of the island to provoke a backlash against the Tamil people that could help the Tigers to win international sympathy ahead of the talks. It is contended that a violent backlash by the majority Sinhalese against Tamil civilians could strengthen the Tigers' claim that the Tamil people can live in peace only if they achieve a separate homeland. "We ask the people to remain calm and not to get provoked by such attacks and fall into the trap that has been laid by the LTTE," he told reporters.

"Their other motive may have been to hit economic and commercial interests by targeting this popular tourist destination. They failed miserably," he said.

Rambukwella said that the government would go for the talks in Geneva on October 28 and 29 in spite of the recent violent incidents. "We are not holding talks to appease the LTTE. The Tamils in the North and the East have genuine grievances and they have not been resolved by successive governments. We will go beyond the CFA and try to address these issues. The aim is to solve the basic problems of the Tamil people, whose children are denied education by the LTTE. The fascist and barbaric terrorist Prabhakaran has driven a whole generation of Tamils to the stone age," Rambukwella said. "The government delegation would raise basic political issues and not limit the talks to the implementation of the Ceasefire Agreement (CFA)," he stressed.

Eye witness account

According to a BBC report, Ramila Walgamage, a real estate broker, said, "When we heard the first blast, we didn't know what it was. We immediately ran to get a view of the harbour. We saw a few boats come into the harbour and explode. The boats we saw were high-speed boats and their explosions were sudden, unexpected and terrifying. There was a massive noise and window panes and other glass shattered. Everyone ran into buildings close by and watched the harbour from there. There was a thick cloud of black smoke which rose up and covered everything.

There was a navy checkpoint in the water. Many big ships are parked there, there are also fishing boats. The checkpoint checked every boat morning and evening. That was where the first boat exploded. And once that went up, was when the others came racing in.

I think the navy thought this might happen. Earlier this year, I hear they came to people's houses here and asked for our help and told us to be alert.

We saw a few boats come into the water and explode. After the explosions, everybody started shooting. It was terrifying. The navy boys were running around engaged in a gun battle and not fully dressed because it was early morning. They swarmed around the town, searching everything because some of the attackers disappeared into the town. Then everybody started running. All the women and children ran to the temple."

Vijitha Liyanage, a procurement officer with Catholic Relief Services, saw the explosions. "There were so many blasts, and we saw black smoke bellowing from the direction of the navy camp," he said. "It was very scary, as we have not experienced something like this in Galle."

Blow to tourism

The attack on the southern port city could be a major blow to Sri Lanka's tourism industry, with peak season about to begin in Galle and its nearby beaches, a major draw for travellers.

While Galle, 70 miles south of the capital, Colombo, also is home to Sri Lanka's main southern naval port, it is also a popular tourist spot, known as Sri Lanka's "Rivier" for its high-end hotels and pristine beaches. Hotel owners said they feared for the tourism industry in the wake of the bombing.

"Before, I could reassure my guests that southern Sri Lanka had never been a target," said one hotelier in Galle describing the attack as "two hours of madness".

"Now, it's on our doorstep," said the Manager of a prominent beachside hotel, who did not want to be named, adding that the violence would likely first affect the five-star tourism that had only recently developed on the island. "All the hotels are greatly concerned. After a year of tsunami and another quiet year because of the situation (in the north), we were all hoping for a good year," the Manager said. ❑

Fratricidal Political Violence among Tamil Speaking People

The background

Several of us, deeply disturbed by the continuing escalation of political violence, met recently and shared our concerns. While all political violence is unacceptable and merits unqualified condemnation, we focus on the sharp escalation of in such violence among the Tamils and between the Tamils and Muslims. We consider this trend to be both suicidal to the Tamil speaking people and a critical impediment to resolving the national question adversely affecting the entire population of this Island. The ethnic minorities have faced discrimination almost from the time of independence. The nature and intensity of such discrimination have fluctuated, frequently manifesting in calculated violence. Tamil groups also have engaged in much violence. An increasing share of the political violence is fratricidal, either Tamil-Tamil or Tamil-Muslim.

Resolving differences

Fratricidal violence has been misguidedly indulged in by activists in many struggles against oppression in the belief that it may be the only means to effectively settle differences. We do not subscribe to this view. Differences that may arise on policies, strategies, personalities or on any other matter will have to be resolved through discussion among the partners in the struggle, not by liquidation. Resorting to fratricidal violence can only deepen divisions, provoke counter-violence and undermine the struggle. Bitterness created by liquidation or expulsion of communities will linger, like in the case of the fratricidal clashes among Sri Lankan Tamil groups in the late 80s and early 90s and the recurrent instances of ethnic cleansing of Sinhalese, Tamils and Muslims since the 80s.

Value of diversity

A culture of permitting free expression of opinions and lively discussion of differences has been a feature of successful struggles (e.g. the movement against Apartheid in South Africa and the US Civil Rights Movement of the third quarter of the last century, and the Gandhian liberation/independence movement of India). In contrast, a culture of violence and intolerance, even if it appears to be helpful to enforce unity, is a recipe for the emergence of dictatorship and further oppression (e.g. USSR under Stalin, the French Revolution in the later stages, and the post BJP proliferation of communal conflict in India) The end result may be that both in numbers and in quality the potential strength of the movement is undermined, increasing the adverse tilt of the balance of forces and facilitating further majoritarian oppression.

Need for independent voices

Among the Tamils, most of those remaining politically active appear to be either aligned to the LTTE or uncompromisingly opposed to it. The number of independent minded Tamils available to effectively lobby within Sri Lanka, with foreign governments and with international agencies against majoritarian oppression is dwindling, and the consequences are increasingly reflected in political developments in Sri Lanka and overseas. Particularly hurting is the marginalization of the parliamentary leadership. At Thimpu in 1985, the Tamil parliamentary leaders worked with five militant groups to formulate the 'Thimpu Principles', which have gained enduring recognition as reflecting a Tamil consensus at that time. Even if such a consensus is secured now, it is easier for those opposed to it to question its legitimacy.

Loss of moral high ground

A major concern is that the culture of violence, especially violence against civilians of all ethnic groups, has led to losing the moral high ground occupied by Tamil leaders when the struggle was against violent suppression of Tamils by the state. Ready resort to violence against civilians, and indifference to democratic and human rights norms devalue the legitimacy of the struggle against state violence and denial of minority rights. Recruitment and use of child combatants, fratricidal violence and assassinations, torture and brutality, and the intolerance and suppression of dissent, resorted to by various Tamil groups have contributed to the loss of much support, locally and globally. Attempts to undermine the autonomy and integrity of non-government organizations, political parties, newspapers, universities, schools and other institutions functioning in the North and East by various agencies have also been counter productive . Even if some of these activities appear to yield immediate gains, their long term impact on the community is overwhelmingly negative. In contrast consistent upholding of values and principles played a critical role in the success of the struggles led by Mahatma Gandhi, Martin Luther King and Nelson Mandela.

Upholding human rights

We are also concerned about the rights and sensitivities of regional minorities. They need to be valued, respected and legitimized. It is increasingly accepted among the Sinhalese (though not yet by the government) that federalism and inter-ethnic power sharing are necessary to regain national unity and integrity. In turn, Sri Lankan Tamils need to accept the need for power sharing in the regional capital (Trincomalee) as well as sub-regional autonomy, particularly for sub-regions in which regional minorities are dominant. Those who campaign against ethnic violence, ethnic cleansing, ethnic oppression and displacement, de-legitimize their protests if they do not also protest against ethnic violence, ethnic cleansing, ethnic oppression and displacement of civilians of other communities, especially if they occur at the hands of their own ethnic group. Civilized political culture demands that we need to protest all violations of human rights and to uphold the rights and welfare of women, children and all vulnerable sections of the population. Those who claim to fight for human rights cannot afford to be selective.

Building Coalitions

It has to be emphasized that we are not indulging in a exercise to divert attention from the continued injustices committed against the minorities for over five decades, nor to subvert any ongoing struggle against such injustice, but to underline the need to mobilize all available resources and to avoid any action or advocacy inconsistent with

legitimate objectives. We note that the first major majoritarian attack on a minority was the disenfranchisement of the Malaiyaha Tamils soon after independence. Sadly, except for S.J.V. Chelvanayagam and one or two others, most Sri Lankan Tamil and Muslim Members of Parliament were complicit in this exercise. Those who opposed it were mostly the Sinhalese Marxist-Leninist and, of course, the Malaiyaha Tamil Members. The development of majoritarian policies was facilitated by the failure to evolve principled coalitions of minorities and progressive forces.

Defining our values and goals

In conclusion, to supplement the values referred to above, we reiterate our belief in the following extracts from the Oslo statement of 5th December 2002, which the parties in conflict, the LTTE and the Sri Lankan Government, agreed to explore:

> "... a solution founded on the principle of internal self-determination in areas of historical habitation of the Tamil speaking peoples, based on a federal structure within a united Sri Lanka [and] acceptable to all communities ... Power sharing between the centre and the region as well as within the centre ... Human Rights protection .... Law and order ... the need to ensure that the priorities and needs of women are taken in to account ... that children belong with their families or other custodians and not in the work place, whether civilian or military ... consultation with all segments of opinion as part of the peace process ..."

Signatories on behalf of the "Collective Against Fratricidal Political Violence"

Rev. Jeffrey Abayasekera, Vellaitha-mbi Ameerdeen, Ben Bavinck, Sharmini Boyle, Fr. Paul Caspersz, . Bishop Duleep de Chickera, Rohan Edrisinha, Nimalka Fernando, Fr.Reid S. Fernando, Wimalaraj Gunasegaram, Lakshman Gunase-kera, Sanjana Hattotuwa, Bishop Kumara Illangasinghe, M.C.M. Iqbal, Neville Jayaweera, Bishop Rayappu Joseph, Seelan Kadirgamar, N. Kand-asamy, N. Kugathas, Uvindu Kurukula-suriya, W.D. Lakshman, S. Nagendra, S. Nanthikesan, S. Narapalasingham, Anita Nesiah, Dévanesan Nesiah, Kumanan Nesiah, Lanka Nesiah, Malathi Nesiah, Nagulan Nesiah, Vasee Nesiah, Vasuki Nesiah, Gananath Obeyesekere, Jehan Perera, Kingsley Perera, Sterling Perera, P.Rajanayagam, Shanthi Sachithanandan, Fr. Dominic Saminathan, Paikiasothy Saravanamuttu, Muttukrishna Sarvanan-than, Frank Seevaratnam, Pushpa Seeva-ratnam, Darini Rajasingham Senanayake, R.M.B. Senanayake, M. Sitralega, Sumathy Sivamohan, K. Sivathamby, Stanley J. Tambiah, Selvy Thiruchandran, Jega B. Tissainayagam, Premini Tissai-nayagam, Jayadeva Uyangoda, Shelton Wanasinghe, Asanga Welikala

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Movement for a Federal Constitution

A number of well know persons, both within and outside Sri Lanka, have formed the 'Movement for a Federal Constitution in Sri Lanka' and appealed to all "All People of Sri Lanka, Expatriates of Sri Lankan Descent and Sri Lanka's Well Wishers" to support the introduction of a Federal Constitution in the island.

A large number of persons have subscribed their signature to the following document which has been widely published:

"We of the "Movement for a Federal Constitution in Sri Lanka" are a group of individuals of Sri Lankan descent and well wishers of Sri Lanka. We promote the implementation of a federal constitutional framework in Sri Lanka to achieve a lasting peace in the island. This paper presents our position in regard to the viability of a federal solution to resolve the prolonged and self destructive ethnic conflict in Sri Lanka. The appropriate form of the federal constitution shall be explored at a later stage.

We believe that the unitary nature of the constitution of Sri Lanka inherited and retained since its independence has failed to fulfill the equitable political representation and the national aspirations of ethnic minorities in Sri Lanka. It has also brought significant economic disadvantages to rural and remote regions of the country due to inequitable distribution of resources.

The failure of successive Sri Lankan governments to address the legitimate grievances of Tamil people resulted in the birth of Tamil militancy and armed resistance leading to two decades of bitter civil war. The resulting war has claimed tens of thousands of lives, displaced hundreds of thousands of people, destroyed property worth billions of rupees and left the economy of the island in ruins.

The sad reality is that Sri Lanka is continuing to slide deeper and deeper into a vicious cycle of violent ethnic conflict. The longer it takes to reconcile our differences through meaningful negotiations, the much deeper the mistrust and disharmony between the Sinhala, Tamil and Muslim communities will become, leading to the further escalation of the conflict with loss of many more innocent lives. So there must be an immediate but genuine drive to end this ethnic conflict. To this end, there is an urgent need to replace Sri Lanka's current unitary constitution with an appropriate federal framework that accommodates the legitimate aspirations of the Sinhala, Tamil and Muslim peoples of Sri Lanka.

There have been advocates for a federal solution to the ethnic conflict on both sides of the divide. Federalism is the 'middle ground' for both sides of the ethnic conflict and an effective framework to end the Sri Lankan ethnic conflict. Federalism underlies a system of government in which sovereignty is constitutionally divided between a central governing authority and constituent political units such as regions and provinces. It also provides substantial devolution of political and economic powers between the centre and the periphery. The implementation of a federal constitutional framework in Sri Lanka will pave the way for adherence to pluralism and more equitable development and transparency in the Sinhala, Tamil and Muslim populated areas of the island. Federalism will also further the opportunity for the Sinhala, Tamil and Muslim communities to reconcile their differences and reach consensus to build a united Sri Lanka, based on the recognition of each community's right to determine its own political destiny.

A federal system of governance has been successfully implemented in many countries of the world that have multi-ethnic, multi-religious populations. Countries such as Canada, Switzerland, Belgium, the USA, India and Australia are examples of plural societies that have achieved federalism through different degrees of devolution of power. It is worth noting that the size of the federation of Switzerland is significantly smaller than that of Sri Lanka.

We firmly believe that the rights of all the peoples of Sri Lanka can be safeguarded through the advocation of a Federal Constitution for Sri Lanka, given that federalism readily accommodates the ethnic, religious and cultural diversity that we find in Sri Lanka. Such a federal constitution will be of great benefit in that it will maximise the potential for social, economic and cultural development by ensuring unity in diversity of the Sri Lankan people. We are also confident that consistent with the pattern of voting in recent elections, the majority of Sinhala, Tamil and Muslim peoples of Sri Lanka are in favour of a Federal solution to the current conflict. Therefore, there is an urgent need and a solid basis for us to launch an active campaign for a federal constitutional solution to the current ethnic conflict, as the only viable alternative to end the senseless war and bring peace and prosperity for all the ethnic groups in Sri Lanka.

We believe that a Federal Constitution which involves power sharing with democratically elected state government(s) in the north and east will minimize threat to national security. It does not envisage a compromise on sovereignty and territorial integrity as falsely assumed and publicised by chauvinistic elements. Sadly, the proponents of such propaganda have no consideration of or compassion for the plight of the people suffering in war torn areas, who have been caught up in the mindless and endless killing and destruction. This chauvinistic point of view will further increase inter-ethnic resentment and bitterness between the Sinhala, Tamil and Muslim communities. We also denounce the threats and intimidations aimed at peace activists, journalists and political activists who stand for a negotiated settlement of the conflict.

Movement for a Federal Constitution in Sri Lanka stands for peace, equality, and an effective federal solution to the ethnic conflict in Sri Lanka that guarantees the protection of the civil and human rights of all its citizens.

- We appeal to the Sri Lankan Government, the Liberation Tigers of Tamil Eelam (LTTE) and other armed groups to immediately cease all acts of hostilities and violence.
- We call upon the Government and the LTTE to start peace talks without further delay and work towards achieving a lasting solution to the conflict based on a Federal Constitution that promotes a fair and equitable framework to address national and other social issues.
- We urge all social and political organisations within and outside Sri Lanka to actively campaign for an effective federal solution to the conflict.
- We also support the participation of a Muslim representation in future political negotiations to ensure that the aspirations of the north-eastern Muslim community are adequately accommodated.

The time has come to act and save the country. Prolonging this senseless war will lead to economic and social failure of the Sri Lankan state.

Act now to save Sri Lanka; Act for a Federal Sri Lanka." ❑

The Common National Agenda: Opportunism or Consensus

Rajan Philips

By the time this appears in print, the Memorandum of Understanding between the UNP and the SLFP may or may not have been signed in Colombo. There has been much expectation about this agreement between the two parties and its significance for establishing the much desired 'southern consensus' to end the northern alienation.

In my view, the rapidly changing ground realities and the terms of the so called Common National Agenda (CNA) that is the basis for the MOU are more a cause for concern than celebration.

As I see it, the CNA brings Mahinda Rajapakse closer to UNP positions on economic matters and moves the UNP closer to Mahinda Chinthanai on the ethnic question. This is the very opposite of what should have happened, and certainly on the ethnic question the CNA should have been more generous than the Chinthanai. A consensus based on Mahinda Rajapakse's election platform will not end the northern alienation but only aggravate it.

The circumstances in which the CNA is being formulated and adopted are hardly conducive to finding a fair and just political solution to the Tamil question. The government's insistence on the two-pronged military-political approach (which so far has been only military and not at all political), the resulting escalation in violence to the 1980s level, and the bull-in-a-China-shop judgment of the Supreme Court on the question of the North-East merger have opened all the old wounds to a new festering grief.

The CNA is based on the premise that the civil society, the professions, the business community, the media and the general public have strong desire for the UNP and the SLFP to work together within a new political culture of cooperation and consensus. It is noteworthy that the agreement will be between the UNP and the SLFP, rather than the People's Alliance of which the SLFP has been the major partner since 1994. There is also no reference to the workers and the trade unions in the preamble to the CNA.

The premise is also questionable in that the general desire has been for the two principal political organizations of the Sinhalese to reach a consensus on the extent and modalities of devolution to transform the Sri Lankan state from its unitary straight-jacket to a more flexible federal arrangement. Instead, the CNA compounds the ethnic question as part of a larger political program, involving six key areas: ethnic issue, electoral reforms, good governance, economic development, nation building and social development. In this formulation, the ethnic issue is not only diluted but is also redefined in terms that are contrary to the premises of the 2002 ceasefire agreement and the peace process that followed.

The CNA's position on the ethnic issue is an unambiguous endorsement of the government's current strategy of giving primacy to military initiatives while ostensibly pursuing a political solution. The problem with this approach insofar as the Tamils are concerned is that all that they can see, and suffer, is the execution of military initiatives. Politically, the Tamils are still waiting for an unambiguous declaration by the President that he is committed to establishing an autonomous Tamil unit in the North and East within a federal but united Sri Lanka. In the context of the realities of the Eastern Province it is unavoidable that a separate Muslim unity should also be established. A Presidential commitment is all the more necessary in the light of the highhanded ruling of the Supreme Court.

The CNA is not lacking in clarity in saying that the military initiatives are a response to "terrorism" in keeping with the state's "paramount duty to protect the sovereignty and territorial integrity" of Sri Lanka. This is really begging the question and it is both deceptive and futile to try to isolate the LTTE, however abominable its human rights record might be, from Tamil politics, and to evoke the paramount duty of the state when the execution of that duty in the North and East invariably means keeping those areas in a permanent state of war.

There is no question that after the glory that was Sampur, the military and sections of the government wanted to continue with the military offensive rather than focusing on the political solution. The latest convert to this thinking is G.L. Pieris, the chief architect of the CNA and the chief government negotiator during the UNP-LTTE peace process. In an interview to the Chennai *Hindu*, Pieris declared that "there is a strong current of opinion in the country that there has to be a military response to terrorism." This has always been one of the many currents of opinion in the South, and one that got a mighty boost after Sampur but has suffered a bloody nose since Muhamalai.

The primacy of a military response cannot be the opinion or strategy of a statesman, but only that of a warmonger and opportunism always leads not to statesmanship but warmongering. A sensible political leader, considering the myriads of miseries that most Sri Lankans have gone through in the last 25 years, will work tirelessly for cessation of all hostilities. But the Rajapakse administration wanted to strike a blow for the Sinhalese against the LTTE. The Sampur success opened up visions of even larger military goals – to recapture Elephant Pass, to establish a position of military strength before the next round of talks. Muhamali, Habarana and Galle, all of which could have been avoided, came along to dampen the prurient enthusiasm of the South.

Even so, the government might have made a plausible case for a military offensive against the LTTE if it had made equally forthright and determined advances on the political front. There has been effectively none despite the many activities through the All Party Committee, the Experts Panel and so on. These exertions are all open ended and the real purpose of which is to propitiate every Sinhalese who has an opinion against devolution rather than produce a comprehensive system of devolution to ad-

dress the longstanding grievances of the Tamils and the Muslims.

A rather pathetic illustration of this misplaced effort is the new enthusiasm in Colombo for India's old Panchayats, which too is for the purpose of winning over JVP and JHU support for devolution in the All Party Committee. The Committee should talk to the members of the 1999, H.A.P. Abhayewardhana Commission on Local Government Reforms, and kick start the implementation of the Commission's recommendations to revamp Sri Lanka's Local Governments system, instead of going on a pilgrimage to India to study the Panchayats. Needless to say local government reforms should not be confused with the political need for a higher form of devolution, the former should be an integral part of, and not a substitute for, the latter.

There is also new enthusiasm – both in the CNA and the reports coming out of the Experts Panel - for reforming the system of governance, in general, through recourse to the old Donoughmore Committee system, by providing for minority cabinet positions, by enforcing the implementation of Tamil as an Official language, and by establishing a bicameral legislature with minority representation in Colombo. There is talk about electoral reforms but no plan to terminate the presidential system. Given the Supreme Court's disturbing track record on political reforms to render justice to the minorities, the reform of the Court should also be on the agenda. Again, it would be a grave mistake to consider these changes as a substitute for substantive devolution, but should be a necessary part of the overall devolution package.

As I said at the outset, the government owes the Tamils and the Muslims an unequivocal commitment to undertaking substantive devolution to reform the structure of state and governance in Sri Lanka. All other good suggestions for improving governance should be subordinated to the main project of devolution. The government should also strive towards ending all forms of hostilities and reestablish the climate for peaceful politics that was certainly nascent immediately after the ceasefire agreement of 2002. Seen in this perspective, the proposed Common National Agenda would appear to fall short of expectations. ❑

Sri Lankan Peace Talks and the Karuna factor

Asian Human Rights Commission

I. Introduction:

Since June 2006, the breakaway faction of the Liberation Tigers of Tamil Eelam (LTTE) led by Vinagamoorthy Muralitharan (Colonel Karuna) has reportedly abducted more than 100 children for recruitment.

[1] As the conflict escalates, the forcible recruitment of children too escalates. According to UNICEF, as of 31st August 2006, there were 1545 outstanding cases of under age recruitment by the LTTE. Of these, 643 were under the age of 18, and 902 were recruited while under 18 but have now passed that age. There were also 101 outstanding cases of under age recruitment by the Karuna group. UNICEF estimates that its database only reflects a third of the actual number of children recruited.

[2] While the Sri Lankan government earlier rightly condemned the recruitment of children by the LTTE, it maintains silence over the recruitment of children by the Karuna group. Children are often abducted in unnumbered vehicles manned by the Karuna group from the vicinity of the security forces and passed through various military checkpoints. Sri Lankan security forces failed to notice anything illegal!

As the Norwegian mediators hold parleys with the Sri Lankan government and the LTTE to resume dialogue in October 2006, Karuna factor looms large over. In March 2004, then LTTE's eastern commander, Colonel Karuna, split from the LTTE protesting against alleged discrimination of the eastern Tamils by the Tiger's northern leadership. The LTTE, on the other hand, alleged that Col. Karuna was forced to quit as he was involved in corruption and violated the Tiger's code of conduct. Sri Lanka's United National Party leaders claimed credit for successfully engineering the most serious split in the LTTE.

Following the split, the LTTE sent hundreds of cadres to engage in battle with Karuna and his supporters, resulting in massive casualties on both sides. Karuna later formed Tamileela Makkal Viduthalai Pulikal (Tamil Peoples Liberation Tigers), a political party of which he is the President. The armed clashes between the LTTE and the Karuna faction began in earnest and these clashes had direct implications on the cease-fire agreement signed on 22 February 2002.

II. Proposed peace talks of 28-29 October 2006

Both the Sri Lankan government and the LTTE reportedly agreed to hold unconditional talks. However, the same has been denied by both the parties to show their tough posturing. There is little optimism over the proposed peace talks. On 5 October 2006, the government of Sri Lanka proposed to increase 40% in defence expenditure for 2007 to cover increased weapons procurement and air strike costs. [3] The intensified military conflict that has displaced over 200,000 people shows no signs of respite. On 10 August 2006, Mr Jan Egeland, the UN Under-Secretary-General for Humanitarian Affairs, put Sri Lanka next to Lebanon and Darfur in the list of the humanitarian disasters that required immediate attention of the international community.

If the proposed talks are held, it is unlikely that the first round will make any substantive progress. Like in the Geneva talks held on 22-23 February 2006 both the Sri Lankan government and LTTE might once again reiterate their commitment for the cease-fire agreement only to be spoiled by the Karuna faction, in addition to violations by the Sri Lankan government and the LTTE.

If the proposed peace talks are held, the facilitators must emphasise on three key issues: (1) developing mechanisms to ensure respect for cease-fire agreement; (2) ensuring respect for human rights and international humanitarian laws; and (3) unrestricted access to the humanitarian agencies for distribution of humanitarian aid.

In this issue of ACHR WEEKLY REVIEW, ACHR addresses the need for developing mechanisms to ensure respect for the cease-fire agreement.

III. Developing mechanisms to ensure respect for the cease-fire agreement

a. Karuna factor

Since the split of the Karuna faction, cease-fire agreement of February 2002 has been all but systematically violated by both the Sri Lankan government and the LTTE. As the SLMM states, "During the first year the Ceasefire Agreement has been implemented in terms of military operations. The separation of forces has not been fully implemented. Freedom of movement has been implemented in general, but failure of the Parties to restore normalcy remains the reason for the majority of complaints from the population".

The cease-fire agreement of February 2002 has not been revisited but the role of the Karuna group remains critical. The LTTE has accused the government of giving military support to the Karuna faction. The Sri Lanka Monitoring Mission (SLMM) has corroborated the LTTE accusations.

The Sri Lanka Monitoring Mission in its "Geneva Report" presented at the Geneva talks on 22-23 February 2006 stated: "Continued attacks on LTTE forward defence localities throughout the period showed that one or more armed groups were actively engaged in offensive operations against the LTTE. .....

The continued high number of assassinations of civilians, including LTTE supporters, in the East, as well as numerous reports of harassment of civilians strongly indicates that armed groups are operating in that area.

SLMM received a large number of complaints relating to assassinations, harassments, extortions, assaults or abductions where an armed group is the main suspect. Sighting of armed civilians claiming to represent Karuna is often reported to SLMM and on the 28th of March SLMM monitors encountered 10 - 15 armed men in civilian clothes operating in Valaichchenai, who told SLMM that they belong to the Karuna faction.

SLMM District Office in Batticaloa has also been contacted by individuals claiming to be Karuna members. The only clearly identified armed group is the Karuna faction and their political front TMVP who, contrary to the GOSL commitment, became even more visible in GOSL controlled areas in the East in March. SLMM has been in direct contact with Karuna supporters and TMVP members and their presence and activities are often confirmed by GOSL officials. SL-MM was even advised by Ministry of Defence to avoid movements in certain parts of GOSL-controlled areas north of Batticaloa due to security reasons. There are a number of indications that the GOSL is actively supporting the Karuna group. Known Karuna supporters have been seen moving to and from SLA camps, and it is evident that the security forces and police in some areas are not taking action to prevent armed elements from operating."

While killings by rival factions of the armed groups in conflict situations are nothing new, it is the direct support given to the Karuna group by the Sri Lankan government that puts the respect for the cease-fire agreement into question.

In the last two and half years, there has not been any scope to revisit the cease-fire agreement to bring the Karuna faction within the ambit of the cease-fire agreement. Unless the Karuna faction is brought within the ambit of the cease-fire agreement, the peace process cannot withstand intimidation, extortions, abductions and clandestine killings in which civilians and suspected supporters of different groups are the main victims.

b. Strengthening the SLMM

Under the cease-fire agreement of February 2002, the Sri Lankan Monitoring Mission (SLMM) has been given very weak mandate. Each District has a Local Monitoring Committee (LMC) consisting of five members, two appointed by government of Sri Lanka , two by the LTTE and one SLMM monitor serving as the chairman. The committees were mandated to inquire into incidents and alleged violations of the cease-fire agreement, seeking to resolve any dispute at the lowest possible level. Any complaint is recorded and processed by the LMC.

The representatives of the Sri Lankan government and the LTTE in the LMC were bound to oppose each other's accusations. The SLMM monitors being compelled to give decisive opinion, they often faced criticism. Former President Chandrika Kumartunga had perfected the art of accusing the SLMM of biases. Often the SLMM is denied unrestricted access for investigation.

The cease-fire agreement of February 2002 must be revisited if the proposed peace process is to make any progress. Bringing the Karuna faction within the ambit of the cease-fire agreement is a pre-requisite for holding substantive talks in the future. In addition, the Local Monitoring Committees must be strengthened and consist of independent and international representatives with the mandate to investigate the allegations without any restrictions on access to persons and places.

The degree of willingness to revisit the cease-fire agreement to bring the Karuna faction within the ambit of the cease-fire agreement and to strengthen the mandate of the SLMM will reflect the commitment of the Sri Lankan government and the LTTE for finding a peaceful solution to the Tamil problem in Sri Lanka.

[11 Oct 2006] ❑

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The Indian model of devolution

Nisala Rodrigo

A wide array of voices is calling for the adoption of Indian federalism as the solution for the conflict in Sri Lanka. The most common argument in favor of emulating the Indian system is that both the Sri Lankan Tamils and the Indian government would readily accept it, because the Tamils of India live peacefully under this system. With the Tamils' and the Indians' acceptance of this solution, it is argued that the LTTE's violent separatist cause would lose legitimacy and that the position of the democratic Tamil moderates would be strengthened. Providing that the above assumptions are true, the question to ask is: would the Indian system actually work in Sri Lanka? Are the conditions which contribute towards the success of federalism in India present in Sri Lanka?

Similarities

As a starting point, I offer two important similarities between India and Sri Lanka. The first is that both have strong traditions of democracy, indeed the two oldest democratic traditions in South Asia. Democratic norms are so entrenched in both countries that it is inconceivable for any non-democratic form of governance to succeed, although autocracy had been attempted at great cost. India survived Indira Gandhi's two years of "Emergency" rule, although it resulted in a great fragmentation of India's political scene. J.R. Jayawardene's undemocratic extension of Parliament ended in 1988, but not before utterly ruining communal relations in Sri Lanka and beginning a process leading to the Indian intervention and the second JVP uprising.

The second similarity is that both countries have suffered from what scholars call "paired-minority" conflicts. In a paired-minority, each party of the conflict perceives itself to be a minority in danger of extinction. As numerical minorities, the Indian Muslims and Sri Lankan Tamils expressed their anxieties of living in "majority-rule" democracies well before independence was achieved in either country. Attempts to work out a power-sharing arrangement with the Indian Muslims failed, with the outcome of Partition in 1947 which was without a doubt the defining event in post-colonial South Asian history.

In Sri Lanka, the rise of Sinhala nationalism removed any possibility that power-sharing would even be attempted, as the majority community's own fears of being a minority manifested. The immutable basis of Sinhala nationalism was the fact that the island of Sri Lanka has been the only historic habitat of the Sinhala people. After independence, Sinhala nationalism became the dominant ideology of the state beginning with the language policy, and Tamil identity was marginalized. A sense of Tamil nationalism (which for the most part did not previously exist) evolved in response, replacing the demand for communal power-sharing with regional autonomy for the Tamil-majority areas of the island. These demands were met with increasing violence, creating the conditions for Tamil militancy and the subsequent civil war.

Hindu political consciousness in India also stemmed from a perception that the Hindus were a minority in the grand scheme of things and that the Subcontinent was the only home of their traditions, but it largely took shape after the tragic communal violence associated with Partition. Three Indo-Pakistan wars and a haemorrhaging dispute over Kashmir further contributed to the Hindu nationalists' belief that their homeland was under siege and needed to be defended. After they came to power through the BJP coalition in the late 1990s, the stakes of the India-Pakistan conflict were raised with the development of nuclear weapons by both countries.

Interestingly, India and Sri Lanka have a great deal to teach each other on the dangerous paths which paired-minority conflicts can take. Perhaps the most important lesson is that separation does not necessarily resolve such conflicts and can even exacerbate them. The inability to solve a border dispute can serve as a flash point for violence, such as in Kashmir. However, it seems that what most people want to know is how India has managed its broad diversity through federalism against all odds, such as slow and uneven economic and social development. European scholars have examined India's general success in their efforts to hasten the pace of European integration. For Sri Lanka, the question is what the Indian system can offer to resolve its own paired-minority conflict. However, the vast size of India's territory, population, and diversity which its federal system somehow integrates also serves to make the study of this federal system difficult.

Evolution of India's federal system

My understanding of the evolution of India's federal system comes from the research of Michael Burgess, Professor of Politics & International Relations and Director of the Center for Federal Studies at the University of Kent, who cites a number of "mainstream" arguments explaining the process leading to the 1950 Constitution and its relatively centralized federation. In the first part of this series, I present a history of the development of India's federal system, beginning with the integration of the Subcontinent under the British Raj in the 19th century. What I will show is that the federal contract outlined in India's Constitution was not designed to resolve any conflict between the central government and the regions; for the most part, it merely formalized the already-existing relations between the two. Although I conclude that the Indian model of devolution does not suitably address Sri Lanka's particular situation, it does have an institution which if properly modified, may help to reintroduce power-sharing into Sri Lankan governance.

After the suppression of the Indian Rebellion of 1857, the British sought to establish a single constitutional order to govern both the areas under their direct rule- the provinces or "Presidencies," which encompassed over half of India's population and territory- and those under indirect rule- the princely states which maintained feudal relations with the British Crown. The Government of India Act 1858 made the Governor-General (also called the Viceroy) the chief administrator of the British Raj responsible to the Secretary of State for India in London. This centralizing Act was soon balanced by the Indian Councils Act 1861, which allowed the provinces to pass their own legislation.

Contrast between India and Sri Lanka

In contrast, Ceylon was ruled separately as a crown colony, and the Colebrooke-Cameron reforms of 1832 integrated the Kandyan and maritime regions under a single administration. This unitary system was established for the purpose of undermining Kandyan nationalism, which had produced a major uprising in 1817-18 and a smaller one in 1830. The Governor's power was counterbalanced by the Executive and Legislative Councils, making Ceylon the most constitutionally-advanced non-white colony in the British Empire at that time. Half of the Legislative Council was comprised of native "unofficials," and its equal representation distributed among

Sinhalese, Tamil, and Burgher appointees marked the beginning of communal power-sharing in the island. The provinces originally served purely administrative functions, without any form of self-government, although representation in the Legislative Council was later based on province. The 1931 Donoughmore Constitution enacted universal suffrage and removed representation by community, but it preserved power-sharing in its executive committee system until independence in 1948.

In India, the British began the process of granting self-rule to Indian natives at the provincial level in the early 20th century. The Government of India Act 1919 established the concept of "diarchy" which was a form of power-sharing between the British and the Indians. The provincial legislative councils were elected by Indians, and these councils appointed ministers to hold a number of provincial portfolios such as education and agriculture. Other portfolios such as finance and home affairs were held by British executive councilors appointed by the provincial governors. However, the central government remained immune to reform, and self-rule was still not forthcoming at that level.

The Government of India Act 1935 abolished diarchy in the provinces, and all portfolios were transferred to the ministers having the confidence of the elected provincial legislatures. However, diarchy was established in the central government. Although the bicameral Federal Legislature consisted of representatives elected by the people and the provincial legislatures and appointed by the princely states, power was concentrated in the Governor-General who still controlled India's finances, foreign affairs, and defense. Act 1935 was never implemented because both the Indian nationalists and the princely states refused to participate. Independence and the 1950 Constitution

Diversity through flexibility and pragmatism

In 1946, a Constituent Assembly was elected by the provincial legislatures to negotiate a constitution for an independent India, and most of the princely states also sent representatives. In the following year, the Constituent Assembly became the Parliament of the Dominion of India, and the powers of the Governor-General were vested in its Cabinet. After meeting for 166 days over nearly three years, the Assembly produced a constitutional draft which was enacted in 1950. The provinces became states into which the princely states were integrated. The first election in independent India was held in 1952, and the State Assemblies voted members to the upper chamber of the Indian Parliament, the Rajya Sabha through the single transferable vote.

Prof. Burgess explains the 1950 Constitution as the product of the "interaction of the British colonial pattern of centralization and the thinking of the Indian leadership." The Constituent Assembly was dominated by the Indian National Congress, which in turn was influenced by the painful experience of Partition as well as its agenda for development. The delegates believed that a strong central government was necessary to maintain order and quell further separatism. This sentiment led to the Emergency Provisions in Articles 352-360 in Part XVIII of the Constitution, which among other things allowed for the dissolution of state governments by the President of India, on the advice of Parliament.

Congress also believed that a strong central authority was necessary for economic development and modernization. The Constitution thus established the concept of "federal supremacy," meaning that central legislation would override state legislation in the event of conflict between the two. In addition to the powers exclusively allocated to the central and state governments, a list of concurrent powers inspired by the Australian system was established to provide more flexibility in center-state relations.

At the same time, it was understood that India's diversity made the continuation of regional self-government indispensable. Prof. Burgess described some characteristics of the Indian state to accommodate this diversity through flexibility and pragmatism: 1) a willingness to activate procedures to redefine state boundaries along ethnolinguistic lines, 2) the establishment of "special category states" earmarked for extra financial resources, and 3) periodic assessments of claims for special status and further decentralization of politico-administrative structures at the sub-state level. Jammu and Kashmir, being the last Muslim-majority region in India was given special autonomy arrangements under Article 370, including separate laws pertaining to fundamental rights and ownership of property. The northeastern states of Sikkim, Assam, Manipur, and Mizoram were also given special arrangements relating to representation in the state governments and the protection of traditional law and practices in Article 371.

Indian Devolution in Sri Lanka

The above history demonstrates that Indian federalism was not invented overnight but took form over decades. In comparison, Sri Lanka's unitary state was also something that was largely inherited from British rule, as opposed to being invented by the Sinhala nationalists. Just as the "centralized" federalism of India's 1950 Constitution evolved from the British Raj and was merely redefined by Congress to serve a nation-building agenda, the unitary state enshrined in Sri Lanka's 1972 and 1978 Constitutions was little more than the preexisting system embellished with a pro-Sinhala Buddhist slant (but without the provisions to protect minority rights). The strong historical legacy of the unitary state suggests that a political settlement must detail a process of devolution and not simply list its terms.

An example of the folly of seeking a "paper" solution can be found in the 13th Amendment, which was based on the system of devolution in India. There are many explanations for the failure of the 13th Amendment, and I reserve a discussion of the collapse of the North-East Provincial Council for the second part of this series. Here I would only state that the Provincial Council system has failed to produce functional regional governments everywhere else in the island. Most of the blame for this failure has been placed on the concentration of power in the Executive President, the countless number of Cabinet Ministers overlapping the portfolios which are supposed to be devolved, and the ambiguous language in the 13th Amendment (the collapse of the Constitutional Council and its associated Human Rights, Police, and Public Services Commissions due to the poor wording in the 17th Amendment gives a certain truth to this last accusation).

I would argue that the decisive factor behind the failure of the Provincial Councils in the South has been their utter lack of popular support. The 13th Amendment was added to the Constitution by Jayawardene with the approval of Rajiv Gandhi, without even a popular referendum. With no public backing, there was no incentive to devolve powers to the Provincial Councils and to make the system work. There was nothing in the 13th Amendment or in the Indian Constitution it was based on to lay out the process for a unitary state to democratically devolve power. This approach was repeated in the PA's proposals for constitutional reform from 1995 to 2000. Devolution, which was supposed to be the focus of these proposals was again treated as a static solution, as if a compromise reached on paper would automatically

produce a federation.

The Spanish model

In contrast, the Spanish model of devolution is relevant because it is the only system in the world (that I'm aware of) which lays out the procedure governing the democratic devolution of power from a unitary system. Spanish devolution has no pretensions that a federal contract can be hammered out in one blow and implemented in the next in a society where the very topic serves to divide people more than to unify them. Each region holds a referendum to determine whether its people desire their own sub-national government. Afterwards, each sub-national government chooses from a list in the constitution which powers it wants to be devolved. In contrast to the rigidly-delineated lists of reserved, devolved, and concurrent powers found in most federations, this flexible setup allows the sub-national governments to prioritize their own powers based on both popular demand and fiscal restraints. It is ideally suited for unitary systems seeking to devolve power.

Power sharing at the centre

Given that the devolution of power in Sri Lanka is an uncertain venture at best, I argue that a power-sharing mechanism in the central government would have to be included to further accommodate the minorities. The 13th Amendment and the PA's constitutional proposals failed to provide such a mechanism. However, the Indian upper legislative chamber, the Rajya Sabha can be modified to serve this purpose. Whereas the Indian chamber represents the states weighted by population, in Sri Lanka it could represent the provinces weighted by district to provide greater representation for the minorities, as I described in my article on Spanish devolution. The five districts of Northern Province alone would fill at least 20% of the seats. Because this arrangement would rely on preferential voting systems such as the single transferable vote and the alternative vote, candidates contesting ethnically diverse districts such as Trincomalee would have incentives to reach out to other groups, as a plurality vote would not be sufficient for victory.

Like the German and Spanish upper chambers (and unlike the American, Swiss, and Australian ones), the Indian Rajya Sabha does not have as much power as the lower chamber. The composition of the lower chambers in these three federations determines the government, and Sri Lanka should adopt this particular feature as well. At the same time, the upper chamber should have enough power that its seats would be seriously contested, and that it would serve a power-sharing function.

The Spanish model of devolution combined with an upper chamber weighted by district would not violate either Mahinda Chintana or the Oslo Communiqué, as they do not conform to orthodox notions of unitary or federal systems. Nevertheless, devolution of power and power-sharing at the center are not sufficient to integrate the minorities into the political mainstream nor guarantee their human rights. In the next article, I will explore how India's party system affected relations between the central and state governments, and how it contributed towards both national integration and disintegration. [October 13, 2006]

Reference: Michael Burgess. Comparative Federalism: Theory and Practice. Oxon (UK): Routledge, 2006. ❑

Conflicting Signals

B. Muralidhar Reddy

IT is more than three weeks since the Co-Chairs of the Tokyo Donor Conference on Sri Lanka, representing 58 donor countries and some of the influential countries in the world, gave the good news in Brussels about the willingness of the Sri Lankan government and the Liberation Tigers of Tamil Eelam (LTTE) to cease hostilities and "come to talks unconditionally". However, their September 12 declaration remains a mere wish even as fighting continues with alarming consequences to the civilian population in the island nation.

According to the latest ruling by the Sri Lanka Monitoring Mission (SLMM) on the major violations of the 2002 Cease Fire Agreement (CFA), 200-odd civilians were killed and thousands of people were rendered homeless in the violence between July 22 and September 26. United Nations agencies estimate that more than 2.3 lakh people have become internally displaced in the last five months.

The government and the Tamil Tigers, besides exchanging regular gunfire, have been indulging in some fine hair-splitting on the conditions that should precede a resumption of talks. The Mahinda Raja-paksa government wants "credible guarantees" from LTTE chief V. Prabakaran and the international community to the effect that a fresh round of dialogue would not be used yet again by the Tigers for military augmentation.

The Tigers, on the other hand, want the government to "honour" the CFA and stop the offensive. Both are blaming each other for the hostilities.

The SLMM, the mechanism appointed to oversee the implementation of the CFA, is in jeopardy in view of the LTTE's insistence on the withdrawal of European Union (E.U.) members from it. The truncated SLMM is faced with the gigantic task of documenting the ground situation. Besides, both the government and the LTTE have given enough signals about their lack of trust in the monitors. The government is livid with what it describes as repeated attempts by the SLMM to equate a democratically elected sovereign government with a terrorist outfit. The LTTE, equally disdainful of the monitors, has virtually evicted the SLMM from the territory it holds.

However, it must be said to the credit of the SLMM that it is doing a marvellous job despite all these constraints. Its latest ruling (given on September 26) is a grim reminder of the growing human tragedy. It blames the LTTE for creating the situation that led to a major military offensive, by closing the Mavil Aru sluice gates on July 22. At the same time, the SLMM seems to make out a case that having completed a successful operation, the government is in no mood for talks now.

The ruling is particularly disconcerting, coming as it does after the Brussels declaration. The conference's appeal does not seem to have had the desired impact. At least not yet, despite Colombo's confirmation that it had received "positive signals" from the LTTE leadership on a resumption of the talks.

The impact of the hostilities on ordinary citizens is difficult to imagine. Reports from Jaffna town and Jaffna peninsula, which have been virtually cut off following the closure of the A9 highway for two months now, speak of severe shortages of food and medicine. Educational institutions have been shut down and students face the threat of losing an academic year. A litre of petrol in Jaffna town reportedly cost Sri Lankan Rs.500 in the second and third weeks of September.

The SLMM ruling says: "The hu-

manitarian crisis in many areas in the North and in the East is steadily worsening with limited supplies being brought up to Jaffna and into various LTTE areas leaving thousands of people without basic necessities and paralysed economic activity. Aid agencies are in general prevented from going into LTTE areas. With the monsoon season on its way it is likely that the conditions of people in general will get worse.

"The situation in the Jaffna peninsula continues to be tense with intensified fighting between the LTTE and the security forces along the FDL [forward defence line] and a high number of assassinations and abductions. There are no indications that this will change in the upcoming week. The humanitarian situation is affected and there are indications of food, fuel and basic needs shortages, despite provisions coming in by boat.

"Curfew is lifted twelve hours a day in the whole area, apart from areas being closed for cordon-and-search when incidents have happened. It is expected that curfew hours will remain the same in the upcoming week.

"According to the Government Agent there are approximately 10,000 civilians who have registered to be transported by ship to Colombo via Trincomalee. The population on the peninsula seems to be pessimistic when it comes to ending the confrontations."

Cost of conflict

The ongoing conflict in Sri Lanka is no ordinary one in military or political terms. It has evaded solution for 23 years and cost at least 66,000 lives. The worst fears about its deadly consequences for the nation as well as for the region are confirmed in a study by a Mumbai-based think tank, the Strategic Foresight Group (SFG). According to the study, "Cost of conflict in Sri Lanka", Sri Lanka is the most militarised society in South Asia. It says the island nation has 8,000 military personnel per one million people. Even Pakistan - it is said that while every country has an army the Pakistan Army has a country - has only half that number, 4,000 military personnel per one million people. The figures for other South Asian countries are: Nepal 2,700, India 1,300, and Bangladesh 1,000.

In terms of military expenditure as a percentage of gross domestic product (GDP) too, Sri Lanka spends the most: 4.1 per cent. In the case of Pakistan it is 3.5 per cent, India and Nepal 2.5 per cent and Bangladesh 1.5 per cent. The figures cannot be expected to be an accurate representation of the actualities as there is very little information and knowledge about the LTTE's military spending.

Sri Lanka's defence expenditure as a percentage of its GDP is not only the largest in South Asia but also higher than other conflict-ridden countries such as Colombia, Myanmar, Sierra Leone, Sudan, the Philippines, and Uganda to name a few, the researchers, Semu Bhatt and Devika Mistry, note. In other words, the level of militarisation witnessed in Sri Lanka, a country variously described as "Paradise on Earth" and "Pearl of the Indian Ocean", could be much higher than in other countries facing internal strife.

The study has established a direct link between the ongoing ethnic conflict and the steep rise in defence spending. "Sri Lanka witnessed one of the most dramatic increase in military expenditure from an allocation of 0.5 per cent of the GDP in the 1970s to as high as 6.3 per cent in 2000," it says. It is supposed to have declined to 4 per cent of GDP after the CFA.

The figures cited in the study pertain to the 2004-05 period. With the CFA reduced to a piece of paper now, it is unlikely that the defence expenditure as a percentage of GDP for 2005-06 can be contained at the level seen in the period after the CFA.

The strength of the Sri Lanka Army has risen from 15,000 personnel in the early 1970s to 1.5 lakh. Its arsenal includes multi-barrel rocket launchers, long-range artillery, mortars, battle tanks, and armoured personnel carriers. The Navy is much smaller; it has 20,000 personnel and uses fast attack craft with 23 mm guns, inshore and offshore patrol vessels and landing craft. The Air Force uses Kfir supersonic fighter-bombers, MiG-23s, and choppers, including MI-24s.

The LTTE's estimated manpower is 10,000 but this does not reflect its actual capability given its use of suicide bombers and guerilla tactics. Its navy has about 2,000 personnel. The LTTE has no functioning air force and no anti-aircraft defences but it is said to have acquired about five small aircraft, and has constructed one or two airfields. The study puts the LTTE's annual expenditure on its cadre and military-oriented networks, both in the island and abroad, in the range of $8 million.

The study says that for the LTTE, which is essentially a military outfit, expenditure on weapons and the maintenance of a war economy gets top priority.

"It does precious little for the economic well-being of the people under its control, despite running a few social and economic organisations." However, given that the outfit's annual income is anywhere between $175 million and $385 m, the expenditure on its cadre and informer networks is "insignificant", the study says.

"The LTTE spends a minimum on its cadre and the maximum on sustaining a war economy and its support base internationally." Of the total income, $100 m to $250 m is believed to come from drug-trafficking, although there is as yet no direct evidence of the outfit's involvement in this trade. Local taxation and extortion are said to contribute about $30 m; human smuggling and funds siphoned off from non-governmental organisations gives $3m to $5 m; contributions from the Tamil expatriate community fetch about $40-50 m; and profits from businesses $35-50 m.

The SFG researchers say, "The possibility of it [Sri Lanka] becoming a less militarised nation lies only after 2011, conditional on the resolution of internal conflict before 2006-07." It is this frightening prospect that makes it imperative for all concerned to make a concerted effort towards a resolution of the ethnic strife.

Hardline thinking

Since the Brussels Declaration, public space in Sri Lanka is agog with debate among the moderates and the hardliners on the merits of engaging the Tigers now. The hardliners are seething with anger over the supposed role played by Norway in persuading the Co-Chairs to come up with a communique announcing a return to "unconditional talks". In their discourses they make out as if the whole world has hatched a conspiracy to dismember the island nation and give Tamil Eelam to the Tigers on a platter. They wonder why the rest of the world is pressing for a resumption of talks when the military is giving a bloody nose to the Tigers.

The "capture" of Sampur and the unexpected low-profile response of the LTTE only seem to have strengthened the views of the hardliners. The bottom line of this school of thought is, "why does it become an un-winnable war" every time we are winning? There is no dearth of voices within the Rajapaksa government which echo this sentiment, and the thinking of the regime appears to be largely influenced by it.

No one familiar with the LTTE's track record will dispute the Sri Lanka government's contention that it is futile to resume talks without credible guarantees. But the question is: how can the government expect the international community to "put in place" a practical mechanism to ensure that the Tigers do not exploit yet another round of talks to strengthen themselves militarily? A tall order for anyone, given the ground realities.

Rajan Philips, an engineer by profession, has attempted to answer a host of issues raised by the hardliners post-Brussels. In an article in the government-run

newspaper Sunday Observer, titled "To talk, or not to talk" he says, "A military solution to the Tamil question can only mean one thing: turning the whole of the North and East into permanent high-security zones and feeding the people there with daily dry rations. Such an ending, even if it were feasible, will not bode well for the rest of the country politically, economically and socially. That will be the end of Sri Lanka as a moral entity."

Rajan says the LTTE has no moral bone in its body to complain on behalf of the affected Tamils but that does not excuse the state of its basic responsibility to all its citizens, including Tamils.

"A state consumed by military operations will invariably fall short of its civic responsibilities, and the state of Sri Lanka has fallen far, far short of this responsibility, time and time again. For this reason alone the resumption of talks should be welcomed as a positive development," he writes.

He further says that the government could and should act on reaching a consensus with the United Nationalist Party (UNP) in the South, opening a forum for identifying the concerns of the Muslims in the East, dealing with non-LTTE Tamil groups, and reaching out to the Tamil diaspora and that there is nothing preventing the government from acting on these fronts while engaging the LTTE in bilateral talks.

On why the government cannot launch an all-out offensive to "finish off" the LTTE, he makes interesting points. "The question has often been raised that if it was alright for the Army to crush the JVP [Janata Vimukthi Peramuna], why should there be qualms about letting the Army to finish off the LTTE now? The answer is simple: it is the ethnic disparity between the Army (which is all Sinhalese), and the LTTE (which is all Tamil) with the result that any fight between the Army and the LTTE takes a far heavier toll on non-combatant Tamils than the Army's attacks on the JVP (all Sinhalese) drew on the general Sinhalese population. The Army in fact saved the Sinhalese from the JVP, but the Tamils are tossed between the fire and the frying pan as the Army and the LTTE battle on."

He disagrees with the view that talks could further strengthen the LTTE and goes on to argue that the ceasefire and the political distractions played a role in the breaking away of 'Col' Karuna, the LTTE's sacked commander of the Eastern Province, and the blunting of the LTTE's fighting edge.

On the treatment of the LTTE on a par with the government, Rajan says, "There is a widespread notion in Colombo that the LTTE has been given preferential treatment by the international community compared to other armed organisations in similar conflict situations, e.g. the PLO [Palestine Liberation Organisation], Hamas, IRA [Irish Republican Army], etc. What is unique about the LTTE, in comparable world situations, is that the international community has had no alternative Tamil agency to formally and effectively deal with."

His conclusion is: "The resumption of talks gives the government a new opportunity to address the omissions of previous governments in building a southern consensus, reach out to the Muslims and non-LTTE Tamil groups, address the needs of the displaced people, put an end to kidnapping and targeted killings, and develop a political solution to call the LTTE's bluff."

[Frontline, October 13, 2006]

Sri Lanka: A country immune from obligations under international law

The following is a statement by the Asian Human Rights Commission (AHRC) issued on 18 September 2006 following a judgment delivered by the Supreme Court of Sri Lanka on 15 September 2006 removing the country from obligations under international law thatraises unprecedented questions for UN:

A judgment made by the Supreme Court of Sri Lanka on Friday, September 15 has all but removed the country from the international human rights community. The court declared that neither United Nations conventions signed by Sri Lanka nor the directives of monitoring bodies are binding on the country. The decision has tremendous ramifications both for the country and for the international human rights community.

The decision was made in relation to the case of Nallaratnam Singarasa. In that case, the UN Human Rights Committee held that the state party (Sri Lanka) had violated the International Covenant on Civil and Political Rights, to which it is a party. The committee then instructed Sri Lanka to "provide the author with an effective and appropriate remedy, including release [from detention] or retrial and compensation" (Communication No. 1033/2001: Sri Lanka, 23 August 2004, CPR/C/81/D/1033/2001; violations of article 14, paragraphs 1, 2, & 3 [C3] and paragraph 8 read together with article 2, paragraphs 3 & 7).

The Human Rights Committee made this decision on the basis of the Optional Protocol to the ICCPR, to which Sri Lanka became a party in 1997. However, the Supreme Court held that being a party to the Optional Protocol violated the Constitution of Sri Lanka, on the basis that it allows the Human Rights Committee to use judicial power within Sri Lanka, which is unconstitutional. The court held that for the country to join the protocol or any convention it must take the matter to parliament and then have it approved by referendum.

The judgment effectively nullifies Sri Lanka's obligations under international law, except those that have been incorporated into domestic statutes. It puts in place a tremendous obstacle to Sri Lanka's participating in any treaty bodies or other UN agencies for human rights. It is binding with immediate effect on all courts in the country and the state itself.

As long as this judgment stands, Sri Lanka will be unable to protect and promote human rights under the laws and institutions of the United Nations.

For instance, consider how Sri Lanka pledged to the United Nations on April 10 –during its successful bid to be elected to the new Human Rights Council – that it would:

"Take appropriate implementational measures in respect of relevant recommendations made by the Human Rights Treaty Bodies after considering the Periodic Reports submitted by Sri Lanka in the past, through the Permanent Standing Committee on Human Rights Issues, Co-Chaired by the Ministers of Foreign Affairs and Human Rights.

"Build capacity in the Ministry of Human Rights, Human Rights Commission of Sri Lanka and other independent statutory bodies established as a part of the national human rights protection systems.

"Introduce a Human Rights Charter in line with the policy statement made by the President of Sri Lanka soon after assuming office.

"Invite the Special Rapporteur on the freedom of expression and opinion and also the Special Rapporteur on the question of torture to undertake missions in Sri Lanka.

"Co-operate with Human Rights Treaty Monitoring Bodies by submitting future Periodic Reports on time.

"Become a party to the Optional Protocol to the Convention on the Rights

of the Child on the sale of children, child prostitution and child pornography."

As a result of the court's ruling, Sri Lanka is now without a position from which to fulfil any of these pledges.

The Asian Human Rights Commission calls for the UN Human Rights Council to take the following steps in response to this decision:

1. Demand that Sri Lanka explain, as a member, how it will deal with this court judgment. If the government is unable to explain how it will overcome the impasse that has been created by the ruling, then upon what grounds can it claim to participate in treaty bodies and other human rights mechanisms, including the council?

2. Urgently consider the implications of a state party refusing to implement, as a matter of law, the views of a treaty monitoring body on individual cases.

The UN High Commissioner for Human Rights must also enter into discussions with all concerned parties on how to address the implications of this ruling, which are to the knowledge of the AHRC unprecedented in the history of the United Nations. If not decisively tackled, such a ruling by a domestic court may do enormous damage to many decades of work for the promotion of international human rights norms and standards. If left unattended, it may serve as encouragement for similar-minded courts in other countries, which may likewise decide to withdraw their states' commitments under international laws.

The judgment comes at a time that Sri Lanka is already the cause of growing international attention and alarm. The worsening situation in the country is due to top the agenda at the September sitting of the Human Rights Council. Many European states and international rights groups are talking of the desperate need for a credible monitoring body to stem a surge in killings and disappearances. The European Commission has itself issued a resolution calling on the UN rights council and commission to take appropriate steps. Donor countries have threatened to withdraw or limit assistance if a credible solution is not found to the worsening conflict. This court ruling will only further aggravate all of these concerns.

With this Supreme Court decision, all concerned agencies and persons should be asking, what next for Sri Lanka? Whether or not the country should be suspended from involvement in international bodies, or face sanctions, remains to be seen. However, the Asian Human Rights Commission has clearly iterated for a number of years that the rule of law has ceased to exist in Sri Lanka. It is a land which has seen utter carnage, and where massive violence could re-emerge at any time. For these reasons, it cannot be ignored. If in the coming weeks the Human Rights Council obtains no tangible solution to the problem created by the Supreme Court, all reference to international human rights instruments, bodies and discourse will become irrelevant to the citizens of Sri Lanka, which can only be for the worse. The international community cannot allow this to happen without jeopardising everything for which it stands. ❑

A crisis and an opportunity

B. Muralidhar Reddy

The SLMM report, detailing the violations of the ceasefire agreement by the LTTE and the Government, underlines the need for a speedy return to the dialogue table.

Sept 29 - The latest ruling by the Sri Lanka Monitoring Mission (SLMM), on the major violations of the Cease Fire Agreement (CFA) by the Government and the Liberation Tigers of Tamil Eelam from July 22 to September 26, throws light on the growing humanitarian crisis in the island nation.

It squarely blames the LTTE for creating a situation, by closing the Mavil Aru sluice gates on July 22, that led to a major military offensive by the Government. However, the SLMM seems to suggest that having completed a successful operation, the Government is in no mood for talks now.

The SLMM ruling particularly makes sad reading coming as it does nearly three weeks after the September 12 Brussels declaration of the Co-Chairs of Sri Lanka announcing the willingness of both parties to return to the dialogue table "unconditionally." Implied in the readiness conveyed by the two parties to resume talks was the commitment to cease hostilities. Yet, as if not taking chances, the Co-Chairs, reflecting the sentiments of the 58-odd donor countries, had appealed to all parties concerned to put a stop to the violence and pave the way for meaningful negotiations.

This appeal does not seem to have made the desired impact. At least not yet, despite Colombo's confirmation that it had received "positive signals" from the LTTE leadership on a resumption of the stalled talks, albeit on the Government's terms.

Terrible impact

The impact of the hostilities on ordinary citizens is difficult to imagine. Says the newly appointed SLMM chief, Maj. Gen. Lars Solvberg: "As a result of these actions over 200 civilians have been killed and several thousands are internally displaced creating a serious humanitarian crisis in the eastern and northern parts of Sri Lanka." Conservative United Nations estimates suggest that in the phase of unrest from April alone over 2.25 lakh people have been rendered homeless.

Reports from Jaffna town and the Jaffna peninsula, virtually cut off from the rest of the world because of the closure of the A9 highway for nearly two months now, speak of severe food and medicine shortages. Educational institutions are shut down and students are threatened with loss of a precious academic year. A litre of petrol in Jaffna town reportedly cost Sri Lankan Rs. 500 in the second and third week of September.

The SLMM report noted: "The humanitarian crisis in many areas in the North and in the East is steadily worsening with limited supplies being brought up to Jaffna and into various LTTE areas leaving thousands of people without basic necessities and paralysed economic activity. Aid agencies are in general prevented from going into LTTE areas. With the monsoon season on its way it is likely that the conditions of people in general will get worse.

"The situation in the Jaffna peninsula continues to be tense with intensified fighting between the LTTE and the security forces along the FDL [forward defence line] and a high number of assassinations and abductions. There are no indications that this will change in the upcoming week. The humanitarian situation is affected and there are indications of food, fuel and basic needs shortages, despite provisions coming in by boat. Curfew is lifted twelve hours a day in the whole area, apart from areas being closed for cordon-and-search when incidents have happened. It is expected that curfew hours will remain the same in the upcoming week.

"According to the Government Agent there are approximately 10,000 civilians who have registered to be transported by ship to Colombo via Trincomalee. The population on the peninsula seems to be

pessimistic when it comes to ending the confrontations."

The growing crisis makes it imperative for the Government and the LTTE to heed the counsel from the international community and head towards the dialogue table. There is no dearth of voices within and outside the Mahinda Rajapaksa Government urging it not to let go the military edge gained over the Tigers easily and rush into talks. But while the Tigers' military challenge should be met squarely, the misery of the thousands caught in the crossfire cannot be ignored.

As things stand, President Rajapaksa has everything going him. For the first time in the country's history, the ruling Sri Lanka Freedom Party (SLFP) headed by him, and the Opposition United National Party, have joined hands in the quest for a common approach to the country's problems. It is a tribute to the large-heartedness of Ranil Wickremesinghe, the UNP chief and former Prime Minister that he has responded to the President's appeal for a common minimum programme despite provocations by the managers of the ruling party. Since the November 2005 Presidential election, the SLFP has liberally poached from the rank and file of the UNP.

Though many continue to be sceptical of the ultimate outcome, the coming together of the archrivals has had an electrifying impact on politics in the island nation. The ultra-nationalist Janatha Vimukthi Peramuna, an electoral alliance partner of the SLFP, is furious.

The SLFP-UNP unity could go a long way in containing the war-mongers and in halting the campaign for a de-merger of the north and the east. There is a consensus within and outside Sri Lanka that the de-merger now could only heighten tensions and that the need of the hour for the Government is to expedite the process of resolving the ethnic conflict.

The Rajapaksa regime has the backing of the international community too in its war against the LTTE and can bank on it for any kind of help. This is evident from a series of developments, particularly in the current year, such as the decision of the European Union to ban the LTTE and Prime Minister Manmohan Singh's refusal to meet a delegation of the pro-LTTE Tamil National Alliance last week.

The Sri Lankan Government should make the most of the situation and respond at the earliest to the Brussels declaration on a range of issues. The LTTE should understand the futility of the politics of blood and agree to a dialogue with sincerity.

The SLMM reports summarises the expectations of the world from both the parties. It says: "The SLMM would like underline that the gravity of the violations committed have led to a dangerous escalation in hostilities... It is important that the parties realise the seriousness of the current situation and do whatever in their power to move forward instead of engaging in military confrontation." *(The Hindu)*

BOOK REVIEW

Children, War, and Inequality in Sri Lanka

Children of War: Aspirations and Opportunities by Muttukrishna Sarvananthan

Review by Nimanthi Perera-Rajasingham

As someone who is well outside of the field of economics, what I can say regarding this book will not do it justice. My work so has been mostly in the East, and then in the area of feminism. However, what I found useful regarding this publication is its focus on disparities of development and regional variations. Something we all know is the existence of extremely unequal levels of development in Sri Lanka. While we sit in the Western Province, we know that we manage to reap the greatest benefits of the Sri Lankan economy. The inequalities in the North and the East have been even more aggravated in the light of ethnic conflict.

What I want to briefly highlight today is a lacuna in present scholarship that I think Dr. Sarvananthan's work helps fill in some manner. In the last 20 odd years, in the general political climate, attention has been focused increasingly on issues of identity and ethnicity. As a whole we have focused on the need to look at issues of recognition, of ethnicity. Hence, we have developed an impressive archive of knowledge regarding issues of Tamil rights, ethnic issues, violence, identity etc. As someone who comes from the feminist movement in SL, I can also say that it has been similar within the feminist movement as well where the category of woman, or 'identity' has been the focus of the movement as has been issues of recognising women's right as human rights. No doubt, we have a great deal to gain from the politics of recognition and we have gained a great deal from it.

I think, however, that this politics has resulted also in a fallout, or an erasure of other kinds of politics. Nancy Fraser calls it the repression of socialist memory to be replaced by issues of recognition. We have over the last years spent a great deal of energy thinking through rights, but not issues of distribution or the need to redistribute unequal material wealth more evenly throughout the country. We have forgotten to focus in other words on the economics of the material well-being of the people of Sri Lanka. Material Inequality in many instances can produce frustrations and these are linked to ongoing ethnic strife. Rights are only useful as long as we focus also on how we can distribute material wealth so that people are empowered to demand rights. In a sense, the focus of this study, on the aspirations of children and the opportunities available to them ask just these kinds of questions. Some of these questions are, how can we think of equal rights for minorities, if do not think of poverty and access to resources at equal measure? What is the purpose of free education if children have access to low standards of education only?. If we look at page 11 of Dr. Sarvananthan's book, we see clearly an example of the disparities he keeps highlighting over and over again. He marks that the WP has 49 percent share of the national GDP in 2003 while the NP has the lowest in the country of 2.7 percent. Surely, no federal solution that does not discuss with equal rigour the redistribution of resources to those who occupy the lowest echelons of income in the North and the East can amount to much? This book is useful for just this purpose, that it highlights in a stark and straightforward manner the need to think of rights and peace along the lines of the material lived conditions of people's lives.

This book demands a return in a sense of that repressed socialist memory that paid better attention to issues of equal education, trade access and opportunities and equal access to higher education and training for youth.

Some of the work I have done in the East have looked at issues of children in the Eastern Province of Sri Lanka. What

I have noticed is that both the state and the LTTE, that Dr. Sarvananthan calls "the shadow state" have done little to ameliorate the conditions under which children live. While both sides use children for political mileage, neither cares for increased opportunities for children. The state will not provide quality education and schools may close or barely manage. Often the state will pay for a few teachers, but well below the necessary numbers. Often when I was in Batticaloa, there were young women who worked as volunteers hoping that this would lead to a paid job eventually. Because these women had no employment they worked rather than stay at home. They had been working as volunteers sometimes for a few years, but schools did not get salaries to make them permanent teachers. Often schools would ask for increase in the number of salaried teachers, but to no avail. In terms of the LTTE, they would go into schools to recruit children and take children on their way to schools and classes. Schools are actually a space to recruit them. Today the Karuna faction does no better. In the light of the ongoing violence children are being recruited at a high rate and are killed in confrontation. The needs and aspirations of children fall between the faultlines of ethnic conflict and they have few means to access resources. Along with low levels of distribution into these regions, and few opportunities of economic growth, again stifled now by impeding war and internecine killings, children's spaces shrink further and further.

What seems to be the result of ethnic tensions and displacement, and I quote from the book here is that "the Northern population has become heavily dependent on relief/welfare handouts from the government and relief donor agencies, and remittances from kith and kin and friends abroad." (70) I do not wish to suggest that those affected by war do not deserve welfare opportunities, but that it should not be in the form of simply handing out rations. These may enable people to manage, but it also sustains and encourages a heavy dependence, and disciplines societies to be less proactive regarding their future aspirations. Often even when it comes to vocational training opportunities for youth, the training is of extremely poor quality which result in badly trained youth. This does not in many ways, as remarked by Sarvananthan, open the doors for youth to obtain skills, and those who are better skilled leave the region in search of better employment.

As a result of not only conflict, but the unequal distribution of material wealth and the heavy reliance on welfare and foreign remittances, as a region the Northern has very little opportunity to catch up. Children in such instances have little option but to search to migrate to the south, search to migrate out of Sri Lanka at all costs, and as for young women search for husbands outside the country as the means to escape poverty and conflict.

Let me turn briefly to look in depth at the statistics provided in this work.

The actual movements and opportunities for youth seem at huge odds with their aspirations. As the book show 84% of the children questioned wished to pursue higher education. This according to Sarvananthan can be because of the high importance placed on education in the North. (77) Of those who do manage to pursue higher education it seems a large part of them choose or desire to study in the Humanities and Arts faculties. As Dr. Sarvananthan notes, of the unemployed graduates between 1990- 2000 60% are from the Arts and Humanities streams and many of the graduates from these departments are considered unemployable. This marks again the low quality education available to students outside perhaps of the main urban based universities in Sri Lanka. It also marks the lack of fit in what children believe will be most beneficial to them and the demands of employers in the region.

One also notes the unequal employment opportunities for women in the region. Despite women outnumbering men, often men are hired at a much higher rate than women. Further young girls/ women feel less able to move outside of their home towns and desire in-house employment as an option. As the book also remarks, when it comes to technical training most women were given training in conventional gender stereotyped professions. While these are of course useful and women may prefer sewing, poultry and other conventional kinds of employment, this also marks how women are still tied to notion of domesticity. If we look at employment patterns as described in page 106, it is clear how few women are employed at the professional and senior levels. In Jaffna only 1% out of the 10% were women to be employed is managerial and senior positions. Women in the professional sector in all districts in extremely low. As Sarvananthan states, except for clerical positions in which women outnumber men, in all other professions men are preferred for most jobs, even though women may be highly qualified. This puts to the test the transformative and disruptive power that the nationalist struggle has had in the North. If liberation struggles have ruptured older forms of gender-stereotypes, why then are so few women employed generally? Occupation patterns in the Northern Province still in many respects seem determined by caste occupations as well, according to this book. Again, in our obsession to look at issues of ethnicity, we have forgotten to look at other social structures and hierarchies that need to be urgently looked at. Hence, the caste dynamics at play, I think only hinted at in this book, are another aspect that I would like to know more of. Again, this too questions the transformative powers of the liberations struggles of the north.

I would like to conclude my review by simply highlighting what I stated in the beginning. This study highlights the lack of opportunities for youth in the North. This is due to the conflict situation in the North and we see how much employment opportunity has increased as a result of the CFA. However, this study also highlights the extreme results in circumstances of the unequal distribution of resources and opportunities in the last 20 years. This may not be directly a result of ethnic conflict so much as our loss of focus on issues of class, caste, employment, poverty, and redistribution. It is also because of the manner in which both the state and the LTTE have monopolised all economic activities. As the conclusion of this book documents, the LTTE impose stifling taxes on trade, monopolise the trade of essential commodities, which in turn means that manufacturing activities are at a nil in the region. Hence, Children of War: Aspirations and Opportunities is important for the primary level empirical details it offers us that highlight the need to focus on regional disparities as an important part of resolving tensions and fissures in Sri Lanka.

[nimanthir@yahoo.co.in] ❑

A.J. Canakaratne (1932-2006): Jaffna's Literary Soul

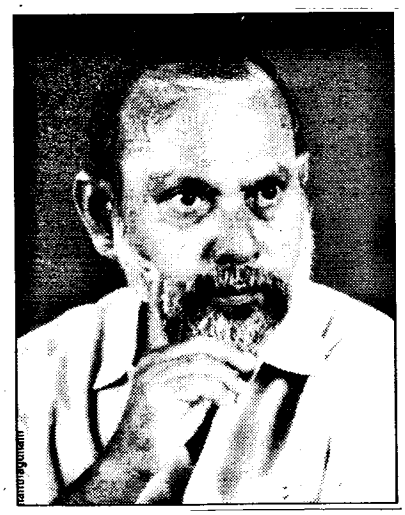
Rajan Philips

A. J. Canakaratne, who passed away on 10 October 2006, has been endearingly described as Jaffna's Regi Siriwardene. AJ was a great admirer of Regi, would have even considered Regi to be his mentor and did go on to edit and publish Regi's writings, but in the circumstances of Jaffna the role that AJ played is beyond comparison.

For almost all his life, save for his university years at Peradeniya and his short stay at the Lake House in Colombo, AJ lived in Jaffna – in fair weather and foul, in sunshine and in rain, in the good times of yesteryears and through the traumas of the last twenty years. Jaffna is nothing without its premium on schools and students and AJ belonged to a generation when Jaffna students were encouraged to take to arts and humanities unlike the later generations who were stampeded into a narrow cramming of the sciences. It was this grounding that enabled AJ to be a unique resource as a literary and social critic in Jaffna.

After his early education at St. Patrick's College, a bastion of Catholic conservatism, AJ studied English (Honours) at Peradeniya under the likes of E.F.C. Ludowyk and Doric de Souza both effervescent and progressive intellectuals of their time and every time. From Peradeniya English, AJ took the by then well-trekked path to the Features page in the Ceylon Daily News. What might have turned out to be a lifelong career at the Lake House was cut short by AJ's inadvertent act of non-compliance with a directive from Esmond Wickremasinghe, then the Managing Editor of the Daily News.

This was the 1960s and the Minister of Education in the first Sirimavo Bandaranike government, Badudin Mahmud, decided to open the admission to Royal Primary to all island competition rather than limit it to the children of



Old Boys and other notables in Colombo.

For reasons that are not difficult to surmise, Esmond Wickremasinghe wanted Mahmud's move criticized and asked the Features Editor to assign the task to one of the feature writers. The task fell on AJ, who did his research, spoke to sources at Royal College and concluded that the Minister's decision was a popular one and was welcomed by those who ran the school. AJ reported back to his editor that there was nothing to criticize and the two decided not to write anything on the matter.

When AJ's finding came up at the editors' meeting, Esmond Wickremasinghe's face reportedly turned "crimson" although he kept his quiet. The fall out came not long after with the shoving of AJ from the Features section to the news room. AJ got the message and took the Mail Train to Jaffna, a rare return journey of the permanent kind. For over hundred years Jaffna has been an out-migration community – more people leaving the peninsula than coming in to earn a livelihood - with hardly any middle-class economic space except for teachers, who have been aplenty, and much fewer lawyers and doctors.

AJ's father was the well known Proctor Canakaratne of Jaffna. Of his two younger brothers – Selvam Canakaratne settled down in Colombo becoming the Managing Director of Ceylon Printers besides continuing his panache for free lance writing, and Dr. S. G. Canakaratne joined the academia first serving the Chemistry Department at Peradeniya and now a Professor in Ohio, USA.

Although not a place for careers, Jaffna offers, rather it used to offer, its unique charms, customs, challenges and complexities to anyone with patience, curiosity and commitment. The source of Jaffna's cultural and intellectual pride is its unique traditions of commentary on Tamil literature and in the practice of Hinduism both of which set Jaffna apart from the mass of Tamil speakers in South India. To its credit, the practice of Hinduism in Jaffna did not prevent the Christian and Muslim Tamils making their own contribution to Tamil literature and society, and to the creation of a truly secular political culture. Arumuga Navalar's precept – "English for the body and Saivam for the soul" - exemplifies the source and success of this ethos.

It is no exaggeration to say that AJ created his own niche within this ethos and this tradition, and his role was well recognized during his lifetime even as he was respected and loved by everyone who came to know him. It will also be remembered and celebrated by future generations of Tamil literati. AJ's uniqueness stems from his academic and intellectual background that was almost entirely English and not at all in Tamil classics. This enabled him to develop his own personality in Tamil prose that was closer to common usage yet rigourous and substantive in content, rather than the alliterative embellishments that provide easy titillations but leave no lasting impact on the reader.

He began and continued to be Jaffna's main, if not the only, gateway between the outside intellectual world and its native players. His first book in Tamil, *Mattu* (churn-staff), a translation of well chosen English essays on literature, culture and politics, heralded his arrival on the Tamil literary scene. His later commentaries on contemporary Tamil literature created a following not only in Jaffna and Sri Lanka but also in Chennai and South India.

What made AJ lovable to his many friends and followers were his simplicity, humility and affability. He was a pedant to many and in more ways than

A J CANAGARATNA MEMORIAL MEETING
will be held at 6 pm on Saturday, 18 November 2006
at YMCA Hall, 642 Forest Road, Walthamstow, London E17
organised by VIMBAM.
Contact : 07956 490 694; 07984 136 160; 0208 472 8323

one. In a society where those with 'little English' tend to think no end of themselves, AJ was the affable resource who needed help in English. AJ's resourcefulness was institutionalized when Jaffna was finally given a university of its own and AJ was given a teaching position in the University. His wit and humour became an integral part of Common Room conversations and university life itself.

He did not give up on journalism; rather journalism in Jaffna came to him for help. For years, he edited and published *The Co-operator*, the journal of Jaffna's once vibrant co-operative movement. When the *Saturday Review* was started, AJ was once again an automatic resource for the new weekly. The now defunct weekly epitomized the limitations and defiance of Tamil politics and nationalism. *Saturday Review* was the face of Jaffna's defiance to its oppression and occupation by government forces that began in 1979 and has not been let up since.

AJ stuck with Jaffna through its years of trial and tribulation. He walked the fine line between the occupying army and the infighting militants, but without sacrificing his intellectual independence. He did not become a ghost writer or an apologist for any of the Tamil groups, as many others did. AJ was not brought up to be a supine fellow traveler of any group, although he had views – critically reflective views – on all of them. They were very well known in the grape vine of Jaffna. He dubbed the men of the cloth who slavishly support the LTTE – "white tigers." He equally poured scorn on the so called Tamil Democrats who religiously hold that the troubles of the Tamils only began with the LTTE and can only end with it. AJ called them "stark raving nuts."

I have known AJ for forty years, from my school days when AJ was editing the *Co-operator*, later trying to start a political periodical in Jaffna, and finally when I was on the Board of Governors of the *Saturday Review*. I last saw him in Jaffna in 2004, and previously in 2002, soon after the ceasefire, in the company of Rev. Paul Caspersz, Dr. Kumar David, Marshal Fernando, Dr. Vijaya Kumar, and Jayaratne Malliyagoda – some of us returning to Jaffna to commemorate our visit twenty three years earlier as part of the first fact finding the delegation of the Movement for Inter-Racial Justice and Equality (MIRJE) during the Emergency Rule of 1979. AJ had translated into Tamil the MIRJE publication: *Emergency '79*.

In 2002, he gave us the most penetrating analysis of the situation in Jaffna and the prospects for a permanent peace. As he put it, it called for a leap of faith for a Tamil to believe that the UNP that burnt the Jaffna Library in 1981 and burnt the PA's Constitutional Draft in Parliament in 2000 would deliver a lasting solution to the Tamil question. In the musical chairs that is Colombo politics, it really does not matter who is in power, and the echo from Colombo is anything but music in Jaffna.

AJ left Jaffna earlier this year for medical treatment in Colombo. That became his last journey out of the peninsula. He died and was buried in Colombo, but he will live in the collective memory of Jaffna's literati wherever they are. ❑

NEWS TRACK

Five civilians injured in SLA rocket fire: Oct 2 - Barrage of rockets fired by the Sri Lanka Army (SLA) from Valaichenai Paper Factory and Murakodanchenai camps between 6:00 pm and 7:40 pm on Saturday (30 Sep) seriously injured five civilians including three women in the villages of Thihilivettai, Pondukalchenai, Navalpitty and Tharavai in LTTE-controlled northeast areas of Batticaloa district. The injured were rushed to the Medical Centre run by the LTTE where they are being treated, according to LTTE sources. The injured were identified as Kathamuthu Pithamparam, 37, Ms. Karuvathamby Kannama, 40, Ms. Mylvaganam Mohanavathani, 42, Ms. Velautham Ranee, 44 and Seenithamby Subramaniam, 51. Many SLA shells fell within cattle farms killing 20 cattle and 17 goats belonging to village residents.

Trader shot and injured: Oct 2 - Unidentified armed persons shot and injured a trader at Vayal Road in Mannar, around 8:25 pm on Sunday (1). He was first admitted to Mannar general hospital and later transferred to Anuradhapura hospital as his condition was reported critical, sources said. The injured trader, Machchendra Thevan, had been running a video shop located along Second Cross Road in Mannar town, sources said.

Tamil civilian shot dead: Oct 2 - Unidentified armed persons shot dead a Tamil civilian at Bharathipuram in Killiveddy in Muttur division on Saturday (30 Sept) evening. He was identified as S.Thangarajah, 44 and labourer. Unidentified men who came in a motorbike fired at Thangarasa when he was returning home located in Bharathipuram lane with provisions. His body was handed over to Muttur district hospital for post-mortem examination.

Police constable shot dead: Oct 2 - Unidentified armed men shot dead a police constable attached to Pothuvil police station on Monday (2) around 9:00 a.m at Rottai region in Pothuvil, Amparai district and escaped from the site on the victim's motor cycle, Pothuvil police said.
The victim was identified as Sellathamby Thiruchelvam, 38, and father of two children. He was shot at with a pistol while riding on his motorcycle to Pothuvil police station from his home at Oorani in Pothuvil. Rottai is a village located 4 km north to Pothuvil, a town in the Amparai district.

11 LTTE cadres killed: Oct 2 - The bodies of the 11 Tiger cadres killed Saturday (30 Sep) dawn in the counter-insurgency Special Task Force (STF) attack, were handed over to the Tigers by the Representatives of the International Committee of Red Cross (ICRC) on Sunday (1 Oct), according to Batticaloa District LTTE Deputy Political Head, S. Seeralan. The STF says the Tigers had entered the STF controlled area, but Tigers said the attack was an STF ambush and showed the Sri Lanka Monitoring Mission (SLMM) officials the attack site. Liberation Tigers Batticaloa District Commander Col. Ramesh, who had taken command recently, attended the funeral of three of the eleven Tiger cadres who were killed in an alleged Sri Lankan Special Task Force (STF) ambush inside the LTTE territory in Batticaloa.

Police retaliates against attack: Oct 3 - A group of attackers who lobbed grenades and shot at two police checkposts behind the Murunkan Police station around 2:00 am on Tuesday (3). Four civilians, 2 family men and 2 teenage girls, in Murunkanpitty were wounded when Police fired mortar shells in retaliation. Additional policemen, Special Task Force (STF) personnel and Sri Lanka Army troopers were rushed to the site. Troopers recovered the body of a youth with gunshot injuries which the Police claimed to be of a LTTE cadre. Some weapons were also recovered at the attack site, according to the Police. The clash lasted for 2 hours till 4:00 a.m., Police said

JVP threatens 'massive campaign' against President: Oct 4 - Thousands of JVP protesters marched against Co-Chairs involvement and Norwegian facilitation in the

Sri Lankan peace process Wednesday (Oct 4) evening in Colombo. The Sinhala nationalist party, the JVP, launched the pro

Woman, auto driver shot dead: Oct 4 - Unidentified armed men shot dead a 50 year old woman, Ms. Thurainayagam Jeyamalar allias Kuttiyamman, at Urikadu in Valvettithurai, around 8.30 am on Wednesday (4). Separately, an auto-rikshaw driver was shot dead at Adiyapatham road in Kokuvil on the same day. He was identified as Shanmugam Subramaniam, 42, of Koddady. Meanwhile, an explosive device went off when the driver's son-in-law attempted to remove the body out of the auto-rikshaw. The victim's grand son, Vijayarajah Anushtan 11, was injured in the blast.

Jaffna students call off boycott: Oct 5 - The 3-week long boycott of schools by students was called of following a conference between Jaffna Bishop, Rev. Fr. Thomas Saundaranayagam, and the representatives of the Jaffna District Student Federation Federation, held at the Bishop's House at 3.00 pm on Wednesday (4). The Directors of Education, Vice Chancellor of Jaffna University, professors, lecturers and a number of well-wishers discussed the impact of boycott in the education and submitted a memorandum urging the Government of Sri Lanka to create conditions conducive for education, sources in Jaffna said.
Bishop Saundaranayagam had earlier in public appeal urged that the boycott of schools be called off.

Video shop owner shot: Oct 5 - Unidentified gunmen shot and injured a video shop owner on Wednesday (4) around 7:30 pm at his house in Mayalahu Raoad at Akaraipattu, 50 meters from Akaraipattu police station in Amparai district.. The man, seriously injured, was rushed to Akaraipattu hospital and then transferred to Amparai district hospital for intensive treatment. The injured man, the owner of Krishna video shop, has been identified as S. Pakiyarajah, 55.

Sri Lanka doubles defence spending: Oct 5 – The Sri Lankan government plans to double defence spending next year,. Defence spending will rise 100 percent next year to 139.6 billion rupees from 69.5 billion budgeted for 2006, according to the appropriation bill to be presented to parliament. Overall spending goes up 40% to 804.6 billion rupees ($7.7 billion) in 2007 from that budgeted for this year.

Analysts said the increase in spending was higher than anticipated, expecting the budget deficit to widen due to increased defence expenditure, and wondering where the government will find the money. "It looks as though they might be planning to upgrade their defence hardware, which means they will have to raise foreign money," Dushyanth Wijayasinghe, head of research at Asia Securities in Colombo said. "They could do that partly from dollar bond issues and partly from long-term credit lines from (arms) suppliers, he said adding,. "They need to get public sector spending under control ... and improve tax collection. There's no other way."

Meanwhile, many investors have either cancelled or held back investments in Sri Lanka's $23 billion economy amid serious clashes between the armed forces and the Liberation Tigers, especially since late July when the military launched a major onslaught against the LTTE. "The peace process will be key," Wijayasinghe said. "If they can take it forward, that will relieve a lot of pressure on the inflationary front and enable the corporate sector to take a longer view."

Soldiers killed in claymore mine attack: Oct 5 - A Sri Lankan Army (SLA) soldier was killed and two others injured in a claymore explosion targeted at the SLA foot patrol in Nampankulam area in Vavuniya at 7:50 am on Thursday (5), Vavuniya Police said. The body of the dead soldier has been taken to the Vavuniya General hospital. The injured soldiers were first admitted to the same hospital and later transferred to Anuradhapura General Hospital for further treatment.

Retired school principal shot dead in Jaffna: Oct 7 - Former principal of the Mahajana College in Thellipalai, Mr.C.Nagarasa, 67, was shot dead by two unidentified men, at his home near Thurkai Amman Temple, around 7:00 am on Saturday (08). Two men came to his house in a motorbike and called for Mr.Nagarasa. One of them shot at him when he came to the entrance to talk to them, source said. Mr.Nagarsa was working as Planing and Co-Ordinating officer with the Jaffna office of Social Services Department. He worked with the Ministry of Hindu Cultural Affiairs, after retiring as school principal.

'Paramilitary' cadre injured in sniper attack: Oct 8 - A member of an anti-LTTE Tamil group was injured in a sniper attack by suspected Tamil Tigers on Saturday (7) at 6:00 p.m. at the Vavunativu Sri Lanka Army (SLA) camp in Batticaloa, said civil society sources. S. Ganeshamoorthy, 38, was admitted to the Batticaloa Teaching hospital with serious injuries, hospital sources said. Vavunathivu is located 7 km north west of Batticaloa town.

Police officer shot dead: Oct 8 – Suspected LTTE gunmen opened fire on a security patrol unit of the Chenkaladi police Sunday (8) around 8:05 a.m near the Chenkalady police sentry point killing a police constable. Officer M. Chandrasiri, 45, from Dehiyanthara region in Galle, succumbed to his injuries while he was being taken to the Eravur district hospital, hospital sources said. Chenkalady is located 13 km Northwest of Batticaloa. The Sri Lanka Monitoring Mission has been informed of the incident.

Co-Chairs' Envoys meet President: Oct 9 - The Colombo-Ambassadors of the Co-Chairs-countries met with Sri Lanka's President Mahinda Rajapakse and expressed their concern about the continuing hostilities between the Government forces and the Tamil Tigers even after both parties agreed to resume peace talks during the later part of October.

The meeting with the Ambassadors of United States of America (USA), Japan, Norway and Germany representing the European Union (EU) at the President's his Temple Trees residence on 9 October came following an urgent LTTE warning to the truce monitors on Saturday, 7 October, that Sri Lanka Army (SLA) was readying for an offensive in the Northern Front.

The previous Wednesday (4 Oct), Sri Lankan Army Commander Sarath Fonseka, reportedly told the Co-Chairs' Ambassadors that the Sri Lankan military would continue with "preemptive" strikes in a bid to "curb terrorism notwithstanding the ceasefire agreement." He had further told them that whatever the military did in LTTE territory was a defensive measure, according to media reports..

Co-Chair envoys on Monday were reported to have discussed with Mr. Mahinda Rajapakse the urgent need of ceasing all hostilities in the lead up to October 28 talks.

They also expressed their fullest support for the resumption of talks between the warring parties.

Norwegian special peace envoy Jon Hanssen Bauer following his visit to the island the previous week had reportedly briefed the Co-Chairs Ambassadors on the latest developments following the agreement between the Government and Tigers to resume peace talks again.

Father of 6 shot dead in Akkaraipattu: Oct 9 - Unknown gunmen on bicycle shot and killed a Samurdhi officer attached to Akkaraipattu Alayadivembu Regional Secretariat in Amparai District Sunday around 7.00 p.m, said Akkaraipattu police. The Samurdhi officer, Manickam Tharmalingam 47, a father of six of Vivekandanda Road in Akkaraipattu, seriously injured in the shooting, was rushed to the Akkaripattu hospital where he succumbed to his injuries. The gunmen had come to his

house, called him out and shot at him. Akkaraipattu is 58 km south of Batticaloa.

'Samurdhi' is a poverty alleviation program originally begun by the UNP regime on the advice and guidelines of the IMF and World Bank. Poverty alleviation programs are strongly recommended by the IMF/World Bank to countries implementing the Structural Adjustment Program (SAP) as a means of cushioning the political repercussions of harsh economic reforms stipulated by the two institutions.

Soldier injured in claymore attack: Oct 9 - A group of suspected Tamil Tigers triggered a claymore mine on Monday (9) around 10.30 am on Komanthurai Sri Lanka Army (SLA) road patrol unit on Theevu road at Vantharumoolai in the Eravur police division, seriously injuring a SLA trooper, sources in Batticaloa said. R.W.S.S. Ratnayake 26 was rushed to Polannaruwa hospital, hospital sources said. Exchange of gunfire between the attackers and the SLA lasted for more than thirty minutes following which the SLA cordoned off the area and conducted search. No one was arrested in the search, local residents said. Vantharumoolai is the entry point to the LTTE controlled region in the Batticaloa district, according to the Cease Fire Agreement of 2002.

Fishmonger shot dead: Oct 9 - A fishermonger was shot dead by unidentified gunmen in Savatkadu area in Valikamam sector of the Jaffna peninsula, around 11:30 am on Monday (9), police said. The victim was identified as Selvarasa Ithayarasa, 28, father of 5 children. The gunmen ridding a motorbike fired at Selvarasa who was cycling from market to his home. He died on the spot. Mallaham Magistrate who visited the scene ordered the police to hand over the body to the relatives after inquest.

VC resigns for release of kidnapped Dean: Oct 10 - The Vice Chancellor of the Eastern University based in Batticaloa, Prof S Ravindranath, submitted his resignation on Tuesday Oct 3), after the abductors of the Dean of the Faculty of Culture and Arts, Dr Bala Sukumar, said that he would not be released unless Dr Ravindranath resigned from his post.

Bala Sugumar was kidnapped by unidentified gunmen on Saturday night, 30 September, while he was at his home in Uppodai Road, Batticaloa in eastern Sri Lanka.

Bala Sugumar's family lost their only daughter to the tsunami that hit Sri Lanka two years ago, and with the kidnapping of her husband Mrs Bala Sugumar is undergoing severe mental trauma, the University officials said. Dr Ravindranath had submitted his resignation to the Chairman of the University GrantsCommission (UGC), Dr Gamini Samaranayake. But Dr Samaranayake said that he could not accept the resignation as only the appointing authority, the President of Sri Lanka, could do so. Bala Sukumar had pleaded for the acceptance of the resignation as his life was in danger.

The Senate of the Eastern University of Sri Lanka (EUSL) appealed to the kidnappers to release the Dean of the Arts Faculty, Bala Sugumar, without further delay, officials of the Eastern campus said. Education had come to a standstill due to fear and uncertainty gripping the staff and students at the campus in the aftermath of kidnapping, the appeal said.

The kidnapped Dean Dr Bala Sugumar, was released by his kidnappers on Tuesday (Oct 10) midnight in Batticaloa, near his home, after he was held captive for ten days, according to his family members.

Unidentified gunmen came in a van, kidnapped him on 30th September, Saturday night, while he was at his Uppodai home in Batticaloa. The kidnappers demanded the immediate resignation of the Vice Chancellor of EUSL, Dr. S. Ravindranath, for his release. Even though Dr Ravindranath submitted his resignation the following day, 1st October, to the University Grants Commission (UGC) Bala Sugumar was not released until Tuesday.

Bala Sugumar said that he was returned home safely and vowed to join the academic activities of EUSL again to help the undergraduate students and for the benefit of the area people. Meanwhile, his wife Piramila Sugumar thanked everyone, including the media personnel, for their relentless campaign in getting her husband released. The Senate of the EUSL, various Muslim Organizations in Eravur, and academics issued appeals to release Bala Sugumar on humanitarian grounds.

20 youths abducted in 2 days: Oct 10 - More than 20 Tamil youths were reported abducted in Akkaraippattu and Thirukkovil area in Amparai district by unidentified armed gang travelling in white vans on Sunday (8) and Monday (9), according to local sources. Relatives of abducted filed four complaints, two in Akkaraippattu and two in Thirukkovil. Following the abductions, tension prevailed in the area on Monday. Even though a number of Tamil youths were abducted in the recent past in the same area, people are reluctant to lodge complaints out of fear of reprisals, sources said. Akkaraippattu and Thirukkovil are located 58 km and 69 km south of Batticaloa respectively.

Earlier, UNICEF had issued statements on the abduction of youths in Batticaloa and Amparai districts, and discussed the issue with the LTTE and Karuna Group which are generally blamed for forced recruitment.

Karuna group member shot dead: Oct 10 – A suspected Tamil Tiger gunman riding a motorbike shot dead a member of the Karuna group on Tuesday (10) around 10:30 am at Akaraipattu in Amparai district, said Akkaraipattu police. The dead youth was identified as K. Jesuthasan, 24, of Kumburumoolai, Kiran in the Batticaloa district. The assailant had followed the victim and his wife on motorcycle from the Regional office of Karuna group in Akaraipattu to the public market. When the couple were about to go shopping the gunman shot dead Jesuthasan at close range and escaped from the site, said the police. People in the market area fled in panic from the scene of shooting and tension prevailed in Akaraipattu town, said local residents. Akkaraipattu district Magistrate Mr. T. L. A. Manab visited the scene to conduct inquest into death, and ordered the police to hand over the dead body to the relatives after post-mortem examinations.

3 killed, 2 injured in bomb explosion: Oct 10 - A bomb concealed in a Dolphin van taken into custody by Vavuniya police 15 days earlier exploded on Tuesday (10) around 12 noon, half an hour after being released, killing 3 civilians and seriously injuring 2 at Periyarkulam, Poonthottam in Vavuniya, said Mr. Chanthanayake, Officer-in-Charge (OIC) Vavuniya Police. Anandan, who had driven the released van to his relatives' house at Periyarkulam in Poonthottam, had sounded the horn on finding the gates of the house closed. Karupaiah Palsamy and his wife Vasanthy Palsamy had come out and opened the gate for Anandan. The bomb exploded as the van was being parked, said the Village Council Chairman of the area. Anandan and the Palsamy couple died on the spot while two women in the neighbouring house were seriously injured.

Ban on remote controlled toys: Oct 10 - Sri Lanka's Defence Ministry has banned with immediate effect the importation of remote controlled toys. "Due to prevailing security situation restrictions have been imposed on the importation of remote controlled toys to the country," said a statement of the Ministry of Defence with the signature of Defence Ministry Secretary Gotabaya Rajapakse. Approval of the Ministry of Defence, Public Security, Law and Order should be obtained to import remote controlled toys (cars and jeeps).The operating range of remote controlled toys should not exceed 10 meters, said the statement. Remote controlled Air Crafts/Flying Devices are not permitted to be imported. Prospective applicants importing such items should obtain approval of the Ministry of Defence by submitting rel-

evant catalogues, added the statement.

Youth's body, weapons found in Eravur: Oct 11 - The body of a Tamil youth alleged to be a member of Liberation Tigers was recovered near Murkodanchenai tank by Sri Lanka Army (SLA) after the SLA sentry points were attacked by LTTE cadres Monday (9) night around 8.00 pm. The body had several bullet wounds and was been taken the Eravur district hospital for postmortem examinations, hospital sources said. Murakodanchenai SLA claimed that the youth had died in the retaliatory fire against the attackers. A Rocket Propelled Grenade (RPG), a T56 assault rifle and two hand grenades were recovered by the SLA near where the body was found, the police said.

Police officer injured in grenade attack: Oct 11 - A Sri Lanka Police constable was seriously injured when suspected Tamil Tiger assailants hurled a hand grenade towards a police street patrol between Kalviyankadu and Kopay on Tuesday (10), sources in Jaffna said. The injured constable was admitted to the Jaffna Teaching hospital, hospital sources said.

Vessel leaves Trinco taking passengers: Oct 11 - About five hundred stranded Tamil civilians in Vavuniya on Wednesday left from Trincomalee port by a vessel "Sakthi" chartered by the Sri Lanka security forces. The civilians were brought to Trincomalee from Vavuniya by several buses on the previous day and they spent the night on board the vessel, port sources said. Another group of eight hundred stranded civilians are waiting in Vavuniya to leave by sea from Trincomalee port.

Meanwhile, Minister Keheliya Rambukwella, defence ministry spokesperson, said at a press briefing in Colombo that a Trincomalee-KKS passenger vessel service is scheduled to be started from Wednesday. Sources in Colombo said the vessel "Jetliner" is likely to be deployed to transport passengers daily from Trincomalee to KKS. This vessel could take about four hundred passengers at a time.

Tamil teacher shot dead: Oct 11 - A Tamil graduate teacher was shot dead on Wednesday (11) morning around 9:00 am allegedly by Sri Lanka Army (SLA) soldiers stationed in Kinnaiayadi camp while he was taking class to students. Thirunavukarasu Sivagnaselvam, 32, is a teacher at Saraswathie Vidiyalayam located in Valaichchenai police division in Batticaloa district. He was rushed to the Valaichchenai government hospital but succumbed to injuries. The victim is from Nagamunai Ampilanthurai located in LTTE controlled territory, but during the time of killing he was residing with his relative in a house located along Nalliah Road in Batticaloa. According to initial reports, the victim had reported to school on Wednesday morning. Later he had been asked to come to Kinnaiayadi camp by soldiers. Students had seen soldiers talking to the victim for about fifteen minutes. SLA soldiers assaulted the students when student witnesses said gunshots had come from the SLA camp nearby. Saraswathie Vidiyalayam is located about 29 km northwest of Batticaloa.

Auto driver shot dead: Oct 11 - Unidentified gunmen shot and killed an auto-rikshaw driver at Thumpalai road in Pt.Pedro in Jaffna peninsula on Wednesday (11). The victim was identified as Emiliampillai Thevarajah,56, of Thumpalai. He was returning to Pt.Pedro town from Thumpalai when armed men stopped his vehicle and fired at him, sources said. His body was taken to Manthikai hospital, the sources said.

Tamil youth abducted in Mannar: Oct 11 - Unidentified men on Sunday (8) afternoon had abducted a Tamil youth named Simon Godwin Nixon at a place near pubic cemetery in Mannar, according to a complaint lodged with the regional office Human Rights Commission of Sri Lanka (HRCSL), Mannar Police and the Sri Lanka Monitoring Mission (SLMM). The victim, a resident of Periyakamam in 100 houses project in Mannar had been abducted while travelling in a three-wheeler by unidentified men who also came in a three-wheeler, according to complaints lodged by relatives of the victim.

Three EPDP cadres shot dead in Jaffna: Oct 12 – Suspected Tamil Tiger gunmen shot dead three cadres of Eelam People's Democratic Front (EPDP), including the group's principal organizer for the Jaffna islets, at 11:30 a.m. in the central part of Jaffna town on Thursday (12). One EPDP cadre was injured in the attack. A youth was killed and the owner of a clothing store was injured when Sri Lanka Police opened fire after the killings. EPDP cadres were identified as K.Sutha,23, of Karampon, Kaytes, Paralasingham Satheeskumar,24, of Delft , and Rasaiah Nakenthiran,33, of Karampon, Kayts. Rasaiah Nakenthiran was reportedly in charge of EDPD activities in the islets off Jaffna town, sources said. They were selling Tamil daily Thinamurasu along Power House Road, between KKS road and Kasturiar Road in Jaffna, when they were killed.

The civilian killed in the police shooting was identified as Tharmakulasingham Nirushan,20, of Manipay road, Jaffna. The injured civilian, A Kuganeswaran, 33, from Ramalingam Road, Thirunelvely and Kanthan have been admitted to Jaffna Teaching Hospital and are receiving treatment for their injuries, sources said.

Abducted mill worker shot dead: Oct 12 - A rice mill employee abducted by unknown gunmen on Wednesday (11) at Vinayagapuram in the Valaichenai police division in Batticaloa, was found dead with bullet wounds on Thursday morning around 3.00 a.m at 4th Cross street, Kanakipuram in Vinayagapuram, said Valaichenai police. Balasubramaniam Suthaharan, 24, of Ootuchenai, Vadamunai, was an employee at the rice mill at Kaduruwella in Polannaruwa. Suthaharan, a married man, fled in fear to his realtive's house in Vinayagapuram from his home in Vadamunai on the border of Polanaruwa district, a village in the LTTE. controlled area. On Wednesday, Suthaharan attended to some personal business at a bank around 2.00 pm, visited his grandmother in Vinayagapuram and was returning to his residence at 6:00 p.m. when the gunmen abducted him.

Muslim worker shot dead in Colombo: Oct 12 - A Muslim worker from Kattankudy in Batticaloa district, employed at the Sri Lanka Port Authority (SLPA) in Colombo, was shot dead by unknown gunmen riding in a three-wheeler at 8:45 pm Thursday in Maradana, sources in Colombo said. M.S.M. Saleem, 28, was riding in a motorbike towards a hotel located along Semens Road in Maradana to buy dinner when he was shot by the gunmen who followed him in the three-wheeler. He was pronounced dead on admission to the Intensive Care Unit (ICU) Colombo National Hospital Colombo police crime branch, hospital sources said.

2 Police killed, 2 EPDP cadres injured: Oct 12 - Two Sri Lanka Police constables were killed, one Sri Lanka Army (SLA) soldier and two cadres of Eelam People's Democratic Party (EPDP) were injured when the pickup truck they were travelling in from Ariyalai along Navalar Road came under claymore attack by suspected Tamil Tigers, close to Kachcheri-Nallur junction, on Thursday (12). The injured EPDP cadres were identified as Kanthan,30, Deputy organizer for the group for Islets off Jaffna town and Kuganesan,33. The Sri Lanka Police and the SLA soldier were providing security to the EPDP cadres at the time of the attack. The claymore was fixed to the fence along Navalar road, Jaffna Police said.

Two youths shot dead by army: Oct 13 - Sri Lankan Army (SLA) soldiers at the Manambi Market Army Checkpoint,

in Vadamarachchy region in Jaffna district, opened fire and killed two youths travelling in an auto trishaw along the Thikkam-Mavil junction road when the youths defied SLA order to stop, around 12:00 noon on Thursday (12). Earlier, the soldiers tried to stop two other youths riding a motorbike at the same checkpoint located near the Thikkam Distillery, but they ran away leaving the motorbike behind. The two bodies were handed over at the Manthikai Government hospital in the evening and both the motorbike and the auto trishaw were taken to the Point Pedro police station.

In a separate incident, suspected Tamil Tigers riding a motorbike fired at Police officers on guard duty near the Mallakam Courts in the morning and killed Dilipkumara Ratnasekara, 42, from Thankodduwa.

Two youths shot dead: Oct 13 - Unidentified armed men shot dead two youths aged about 25 on Thursday (11) night. Bodies of these youths with gunshot injuries were recovered Friday morning at Kanthapuram, about eight km off Vavuniya town. Hands of these youths were tied and face of one of the dead was covered with a black cloth, residents of the area said.

According to civil sources that these youths had been brought to the site in a white coloured van and shot dead by unidentified men Thursday night around 9:00 p.m. The white coloured van left the scene after leaving these bodies in the area. Two spent cartridges of AK 47 rifle were found at the site.

The victims were not identified till noon Friday. But monitors of the Sri Lanka Monitoring Mission (SLMM) based in Vavuniya visited the scene and held inquiry.

Home guard shot dead: Oct 13 - Unidentified men shot and killed a home guard near a petrol filling station located at Aariampathy on Friday (12) morning around 6.30 am, sources in Batticaloa said. The victim was waiting for bus to report for duty at police check point at Kallady in Batticaloa when he was shot. U.L.M.Azad, 35, a father of one child, lived in Kattankudy Border Road. He succumbed to injuries when being taken to the Batticaloa Teaching Hospital.

Meanwhile, a naked body of a male aged about 30 was recovered near East University located in Vantharumoolai in Eravur Police Division on Thursday (11) night. The victim's face was badly damaged and the identity has not been established yet. No gunshot injuries were found on his body. Vantharumoolai is located about 15 km off north of Batticaloa. Kattankudy is located about 7 km off south of Batticaloa.

Security tightened following killings: Oct 13 - The Sri Lankan Army (SLA) in Jaffna Peninsula introduced tight security measures after 9 persons including 3 Policemen and 3 EPDP paramilitary members were killed on a single day, on Thursday (11). Soldiers stationed in key junctions in Jaffna and other towns stopped every passenger vehicle and conducted thorough checking. In many locations people were made to wait nearly one hour, sources in Jaffna said.

Though fighting in the Forward Defense Lines (FDL) in Thenmarachchi ceased Friday, the violence continued. Murugesu Nagasury, 36, a liquor shop owner was shot dead Nachchimar Kovilady along the Jaffna - Kankesanthurai road around 11:30 am by two unidentified gunmen riding a motorbike, eyewitnesses said. Nagasury was from Velanai in Jaffna islets.

3 youths killed, another injured: Oct 14 - Three youths were killed and another injured when armed men stopped the auto-rikshaw in which they were travelling in and opened fire. The incident occured at Samalankulam in Vavuniya, around 1 pm on Saturday (14), police said. Two youths died on the spot while the other died while being transported to Vavuniya hospital by local residents, according to the police. The three who were killed in the shooting were identified as Vaithilingam Mahenthiran, Nadarasa Navarasa and Navaneethan. The injured youth, Roopan, was taken to Vavuniya hospital and later transferred to Anuradhapura hospital, the police said. Police recovered empty bullet casings of AK-47 assault rifle from the site.

Three men shot dead in Vavuniya: Oct 15 - Three Singhalese men were shot dead at Kanthapuram, about 8 km from Vavuniya, around 9 am on Sunday (15). They were travelling in a car with two other Muslim men when their vehicle was stopped by unidentified persons, who allowed the Muslim men to leave the area and killed the three, according to the Police in Vavuniya. Eight people have been shot dead in Vavuniya during the past three days.

The bodies were recovered with their hands tied behind and faces covered with their clothes at the site where two other men were shot dead on Thursday (12), the police said blaming the Tamil Tigers for the killings The victims are yet to be identified, he added.

STF offensives repulsed – LTTE: Oct 15 - An offensive launched by the Sri Lankan Special Task Force (STF) troopers on Saturday (13) night into LTTE controlled territory south of Batticloa, was repulsed according to LTTE officials in Batticaloa. A Tiger Major and a Captain were killed in action. Meanwhile, LTTE sources in Amparai said the STF troopers who penetrated into Kanchikudicharu were forced to retreat following a series of Tiger ambush attacks launched on them. LTTE sources in Batticaloa claimed that the STF had suffered heavy casualties when Tiger fighters fought the STF troopers back. LTTE Captain Thathankan (Kovinthan Ponnuthurai), 31, from 39 Colony, Vellaveli and Major Kuyilkannan from Amprai district were killed while fighting back the STF troops who penetrated the LTTE territory.

Two youths shot, injured: Oct 15 - Unidentified gunmen shot and injured two Tamil youths from Arayampathy in the Kattankudy Police limits around 2:30 pm on Saturday (14). The critically injured youths, Konamalai Kanthanesan, 28, and Gopal Raju, 26, were admitted to the Batticaloa Teaching hospital for treatment. They were shot at near the Arayampathy Church. Arayampathy is located 7 km south of Batticaloa.

4 civilians killed, 2 injured in Jaffna: Oct 15 - Four civilians were shot dead and two seriously injured in Jaffna peninsula in three separate incidents within the 24-hours from 6:00 pm on Saturday and 6:00 pm on Sunday, according to local sources in Jaffna. Unknown gunmen who arrived at a bakery in Oluvil road in Karampan, Kayts at 8:30 pm on Saturday, interrogated the owners and customers present in the bakery and opened fire at them. Thavarasah Kunatheepan, 23, from Karampan South, and Ramu Sellathurai, 43, from Nedunkuda, Karainagar, were killed on the spot. Two others, seriously injured during the shooting, were taken to Kayts hospital immediately, and later around midnight were transferred to the Jaffna Teaching Hospital in critical condition, hospital sources said.

Meanwhile, unknown gunmen shot and killed Saravanamuttu Panachavarnam, 58, a retired police seargent at his residence in Thambachetti, Vadamaradchy at 8:30 am on Sunday. In a separate incident, unknown gunmen who entered Kopay Christian College at 11:30 am on Sunday while a Teacher Training Course conducted by the UNICEF was in progress, threatened the teachers before shooting dead the watcher, Sabaratnam Arulratnam, 30. The gunmen escaped after committing the crime, teachers present at the school said.

Building contractor shot dead: Oct 16 - Unidentified gunmen shot dead a contractor at Malkampity road in Samanthurai police division in Amparai district on Sunday (15). The victim succumbed to his wounds after being admitted to Akaraipattu hospital in a critical condition, hospital sources said. The deceased has been identified as contractor U. K. Rahim, 50, a father of four. The assailants had called Rahim out of his house and shot him at close range before escaping. The contractor was reportedly engaged in building and road constructions in Samanthurai, Karaithivu and Kalmunai. Sammanthurai is located 17 km north east of Amparai.

Tiger arms ship sunk, claims Navy: Oct 16 - The Navy said it thwarted yet another LTTE attempt at arms smuggling, when it destroyed a LTTE trawler loaded with weapons, killing all onboard the vessel, 35 nautical miles off West Arippu Sea in Mannar on 15 October. "Around 9:00 am the Navy detected a boat flying a Sri Lankan flag and with no registration marks and another vessel which was later released after inspection, moving fast towards the north, near the Indo-Sri Lanka maritime border. On signalling for its identity and firing warning shots across its bow, the other boat's crew suddenly opened fire with grenade launchers and small arms, injuring three of our sailors and three fishermen in the earlier released trawler," a senior Naval official said, while adding that the Navy's retaliatory fire completely destroyed the boat and its occupants. "On observing the size of the explosions, we are certain that the Tigers were transporting a large stock of weapons and explosives," the official said.

SLA trooper killed, two injured: Oct 16 - One SLA trooper was killed and two seriously injured when Tamil Tigers retaliated with mortar fire against mortar attack launched SLA soldiers from Vavunathivu SLA base on LTTE's Forward Defence Line (FDL) on Sunday at 10:00 pm, according to LTTE sources. M. Samanthasiri, 34 was identified as the SLA trooper killed. The two seriously injured have been admitted to the Batticaloa Teaching Hospital. Vavunathivu is located 6 km north west of Batticaloa town.

4 civilians killed in Jaffna: Oct 16 - Four civilians including a Grama Sevaka and a Sinhalese man were killed in separate incidents between 6:00 am and 8:30 am on Monday in Jaffna peninsula. Markandu Mahendran, 39, who served as Grama Sevaka in Ariyalai for several years was shot dead by unknown gunmen at his residence in Ariyalai at 6:00 am. Two unknown gunmen arrived at Selliah Nanthan's house, 42, shot and killed him at close range at 8:00 am on Monday. Nanthan's house is located in Tellipallai Road, Vaddukoddai. Ariyathurai Ariyasivam, 40, who runs a tea-shop in the central part of Jaffna town, was shot dead by unknown gunmen at his business premises around 8:30 am Ariyasivam, a father of four children, was displaced from Mandaitivu and was residing in Kokuvil. Iranagama Sooriyasinghe, 56, a Sinhala civilian who settled in Viyaparimoolai in Vadmaradchy was shot dead by unknown gunmen when he was on his way to a nearby shop to buy provisions. Sorriyasinghe is originally from Galle, according to sources.

SLAF Kfir bomber comes down in Negombo: Oct 16 - A Sri Lanka Air Force (SLAF) Israeli-built Kfir bomber came down as it took off to bomb LTTE territory on Monday (16) evening at 5:45 pm The Kfir jet fell into the Negombo lagoon. The pilot ejected himself from the Kfir before it came down, according to Sri Lankan military spokesman Prasad Samarasinghe. The Kfir (Young Lion in hebrew) multi-role combat aircrafts form the main offensive component of the Sri Lanka Air Force (SLAF) and have been used in the last few months in the fighting between government forces and the LTTE. Bombing raids have inflicted much destruction to infrastructure in LTTE controlled areas and have resulted in several civilian casualties. Kfirs are fitted with GE J-79 engines that can carry a total external payload of 5,500 kg (12,100 pounds).

Retaliatory bombing raid in Mullaithivu: Oct 16 - A one-year-old baby girl and a 12-year-old girl were killed and 15 civilians - eleven women and 4 men - were wounded when Sri Lanka Air Force (SLAF) bombers attacked Kaiveli, a village in Puthukudiyiruppu, between 5:15 and 5:45 pm on Monday, according to LTTE sources in Mullaithivu. Four SLAF Kfir bombers targeted a civilian settlement on the left side of Puthukudiyiruppu - Paranthan Road. 9 civilian houses were destroyed in the bombardment. A one-month-old baby miraculously escaped from the attack. A Kfir jet came down in Negombo when it took off to bomb Puthukudiyiruppu this evening, the sources said.

It is said that the SLAF bombing was in retaliation to the truck-bomb bomb attack in Habarana in which around 100 Sri Lanka Navy troopers were killed. LTTE Peace Secretariat officials in Kilinochchi said the truce monitors had visited and inspected the civilian site and the hospital where the wounded were being treated.

Policeman, SLA trooper killed in mine attack: Oct 16 - A policeman attached to Valvettithurai police station and a Sri Lanka Army (SLA) trooper were killed by a remotely triggered claymore blast on Monday (16) when the SLA road patrol was attacked by suspected Tamil Tigers between Udupidy and Valvetithurai in Vadmaradchchi north. The SLA unit was on its way Valvettithurai from the Udupidy junction SLA camp when the attack occurred. The two men died while they were being taken to the Manthikai hospital in a private vehicle. The claymore device was attached to a bicycle left leaning on the wall of an abandoned Christian cemetery located on the Udupidy-Valvetithurai road.

Abducted Hindu priest released: Oct 17 - Unidentified armed men abducted the Hindu priest of Colombo Kochikadai Ponnambalavaneswara temple on Saturday (14) around 2:00 pm at the Fort bus stop and released him Monday 5:00 am at the Five Lamps junction in Colombo, reports from Colombo said. Priest Janarthanan Balajegatheesa Sarma said that he was assaulted by the abductors but refused to disclose information about the abduction.

Two civilians shot dead in Point Pedro: Oct 17 - Two men, a Muslim, and a Tamil were shot dead by unidentified gunmen in two separate instances in Point Pedro and Viyaparimoolai area in Vadmaradchchi north on Monday (16). Gajathu Mohamed Mustafa, 43, of Vinayaga Mudaliyar Road, Point-Pedro, the husband of a Tamil woman, was stopped and shot dead at Oddadi Road in Pt. Pedro around 1:30 pm on his way to Pt. Pedro town. In a separate incident, Vairamuthu Nallathamby, 58, a family man of Thunnalai in Vadmaradchchi who had come on personal errand to Viyaparimoolai was shot dead around 3:00 pm by unidentified men.

Fisherman abducted: Oct 17 - A fisherman was abducted by unidentified armed men on Saturday (14) night from his house located Sinnathamby Road in coastal village Thalavaai in Eravur police division in Batticaloa district, according to a complaint filed by his wife with the Police. Wilfred Gamini, 45, a father of five children, was forcibly abducted by unidentified men who had entered the house breaking the door of the house, according to the complaint. Thalavaai village is located about 15 km off north-east of Batticaloa.

Police constable shot dead: Oct 17 - Unidentified gunmen shot dead a police constable attached to Kallady police station in Batticaloa on Tuesday (17) around 5:20 am at a bus halt close to the Kurukal Madam Special Task Force (STF) camp in Batticaloa. Illayathamby Ilankeswaran, 43, father of 4 children, of Kurukal Madam, died on the spot when gunmen fired at him when waiting for bus on his way to work from home.

Two youths shot dead in Trincomalee: Oct 17 - An employee at the World Bank funded North East Housing Reconstruction Project (NEHRP) in Anpuvallipuram and an unidentified Tamil youth in Paliayootu were shot dead in Trincomalee in two separate incidents, sources in Trincomalee said.

Muthu Mohanaraja, 24, was shot dead on Monday (16) night around 10:00 pm. in Anpuvallipuram, a suburb in Trincomalee town where he had been residing. He was employed as driver in NEHRP. In another incident an unidentified Tamil was shot dead on Saturday (14) around 7:30 pm His hands were tied behind.

Meanwhile, a claymore mine placed near the sixth mile post along Trincomalee-Nilaveli road exploded. No one was injured in the explosion. Security sources said the claymore mine had been placed targeting a navy vehicle carrying troops, but exploded after the SLN vehicle passed the site.

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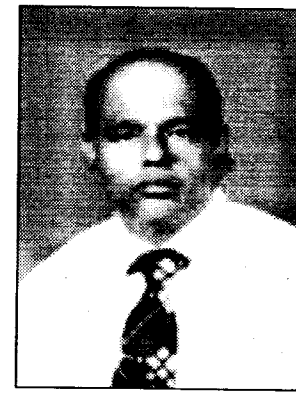
OBITUARY

V.T.S MOORTHY – THIRUGNANA SAMBANTHA MOORTHY (aka Sam), beloved husband of KARUNESWARY (aka Joe) of Wallington, Surrey, precious father of Dr Ram Prakash and Prasant Yogan (Australia) and much loved son of Kathiresu Velautham and Thangapillai (Sundaram) of Pannalai, Tellipallai, Jaffna, son in law of late Mr & late Mrs. V.V.Rajas of Colombo 6, ever loving brother of Kamachipillai, late Meenachipillai, Saraswathy, Parameswari, Subramaniam and Naguleswaran, brother-in-law of late Rajadurai, Appapillai, late Srinivasagam, late Jebaratnam, Selvaranee, Jegatheeswari and of Pushpakanthi, Parameswari, V.R.T.Rajan, Sivanathan, Surenthiran and late Rajanayaki, co-brother of Sanmugam, Balasundaram, Atputhasothimalar, Dr Manjubhashini, Sarathambikai and late Siva Wijayakantha, expired on Wedneday 20th September 2006.

After religious rituals, his remains were cremated according to Hindu Rites on Monday 25th September 2006, at the South London Crematorium, Streatham Vale, London.

For details contact:
Tel: 0208 669 8161.
'Sai Jyothi',
150A Sandy Lane South,
Wallington,
Surrey. SM6 9NR.



Tyagarajah-C, Retired Deputy Director of Education, Jaffna; Ex. Principal, Skandavarodaya College; Ex. Director of Physical Education, University of Jaffna; of Vetharaniar Valavu, Uduvil and 34, Murugesar Lane, Nallur, passed away in Colombo on 08.10.06.

He is the son of the late Rao Sahib M.C.Thamby and the late Mrs. Thamby; son-in-law of the late Mr. & Mrs. Navaratnarajah; beloved husband of Yasodhara (Ex. Principal , Manipay Hindu Ladies College); darling father of Rahulan (Australia); loving father-in-law of Malini; precious grandfather of Nishan and Shayan; brother of the late Jayalaxmy, the late Jayasingh, Sivapckiam and the late Sivapragasam; brother-in-law of the late P.S.Cumarasamy, Subadra Sivanayagam, Rudra Nava-ratnarajah, Sivakumaran, Kousalya Thedchanamoorthy and Radha Rajaratnam. The cremation took place at the Galkissa Cemetry on 10th October 06 at 5 p.rn.

(An Appreciation of Mr.C.Tyagarajah appears at page 41)

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IN MEMORIAMS

First Year Remembrance
Treasured Memory of Emmanuel Anthonisamy

Your presence we miss, your memory we treasure, loving you always, forgetting you never.
In loving memory of **Mr. E.Anthonisamy**, Retired Chief/ Senior Tug Master, Colombo Port Commission and Navigating Officer, Ceylon Shipping Corporation, on the first anniversary of his passing away on October 4th 2005.
Sadly missed and fondly remembered by your loving wife Hilda; children, grandchildren, daughters-in-law and sons-in-law.

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November

01. Eekathasi; All Saints Day
02. All Souls Day
03. Pirathosam; Iypasi Velli (3)
04. Feast of St. Charles Borromea
05. Full Moon
06. Karthigai
08. Sankadakara Chathurthi
10. Iypasi Velli (4); Feast
01. of St.Leo the Great.
11. Feast of St. Martin of Tours
12. Feast of St. Josaphat
15. Feast of St. Albert the
01. Great
16. Eekathasi
17. Feast of St.Elizabeth of
01. Hungary
18. Sani Pirathosam
20. Amavasai; Karthigai
01. Somavaram (1)
21. Feast of the Presenta-
01. tion of Blessed Virgin Mary
22. Feast of St. Cecilia
23. Sathiya Sai Baba's
01. Birthday
24. Chathurthi; Feast of
01. Christ, The King
26. Shashti
27. Karthigai Somavaram(2)
30. Feast of St. Andrews

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4th November – 6 p.m. Melody of Strings by Sanjay Guha & students

5th November – 6 p.m. Vani Fine Arts & the Bhavan present Carnatic Vocal Concert by Shri Kalaimamani P.Unnikrishnan and accompanying artistes from India.

19th November – 6 p.m. Sitar Concert by Pt Budhadiya Mukherjee & Bijoyadit Mukherjee

Fifth Year Remembrance

In loving memory of
Mr.S.Sivagnanasekeram

on the fifth anniversary of his passing away on the 4th October 2001. Sadly missed and lovingly remembered by his ever loving wife Gnanadevi, sons Ranjan, Mohan and daughters- in- law Pavithra and Luxmy. You have never left our hearts and we will treasure your love, wisdom and beautiful memory forever.

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Association of Tamil Parishioners UK (ATP-UK)- Press Release

We are a faith based charity (Christian)- based in South East London, established to assist the Tamils in Britain to enhance their social and spiritual well being, focusing primarily on children and young adults with the aim of addressing their needs and concerns

Our mission is to empower the Tamils in Britain, without regard to religion, gender and socio-economic status, to overcome social, economic and cultural barriers and to become contributing and productive citizens in an integrated and sustained way.

Earlier this year we received a grant from the Faith Communities Capacity Building fund from the Community Development Foundation which has allowed us Fund from the Community Development Foundation (CDF) which has allowed us to implement our objectives aimed at enhancing social integration and community cohesion.

This press release will help us to seek out and extend our services to all Tamils in the UK. We would very much appreciate any support the Tamil Times can provide in helping us communicate our work.

Please feel free to contact me if you require any further information

Mathew Manoharan (Chairman)
Association of Tamil Parishioners (ATP-UK)(Charity No. 1107935)
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Review of the 7 CD's released by Smt. Sivasakthi Sivanesan

By John R. Marr

If any further proof were needed of the pre-eminence in Britain and Europe – and wider – of Smt. Sivasakthi Sivanesan as a supreme concert soloist and teacher of South Indian classical music, these wonderful discs are that proof!

For many years, Sivasakthi has been Resident Teacher of Karnatic Music, Vocal and Vina, at Bharatiya Vidya Bhavan's UK Centre, West London. We have been so fortunate there to have so dedicated a teacher, and are perhaps too modest concerning her stature as a vocal soloist. To own a set of these CD's is a must for every serious student of South Indian music, whether professional or amateur.

The discs fall into two groups: 1) Voyages I to V and 2) Ragam Tanam, discs I and II. For the first five, she has splendid support from the violin of Sri Balu Raghuraman, Bhavan's Resident Teacher, and the Mridangam of Sri M. Balachandar, Bhavan's Resident Teacher of Mridangam. Additional percussion is provided on Ghatam by Bangalore R.N. Prakash and on Morsing by Sri K. Sithamparanathan. It is thus noteworthy that the entire production was made in the UK, so integral a part of our culture has Karnatic Music rightfully become! In the five Voyages Smt. Sivasakthi firstly shows her total integrity as a teacher. In Voyage I she demonstrates the rudiments of music in Svaravali and Jantai Varisais, keeping to the basic "teaching scale" Mayamalavagaula. Voyage II takes us to the next levels: of Alankarams in different talas, and Gitams, largely in the Raga Malahari. In Voyage III we travel further into Gitam, and on to Svarajati and Jatisvaram and then to the principal learning-discipline of the Varnam. Further easy compositions are encountered in Voyage IV, which also introduces Tevaram and Divyanama Kirtana (of which more later!). Voyage V climactically takes us to kriti and kirtana, but again including Jatisvara and Tevaram, and also Tiruppukal.

Smt. Sivasakthi performs throughout flawlessly: the rich sonority of her voice, its range and her beautiful enunciation are stunning. One is listening to a concert, as well as to a lesson! It is hard to pick and choose... but, for me, her performances of Gajamukanai in Sankarabharanam (Voyage IV, track 4) and Gajananayutam, Chakravaka and Kalaivani, Suddha Dhanyasi (Voyage V, tracks 1 and 4) stand supreme. Not only are they beautifully sung, but they are preceded by wonderfully inventive alapanas, and include superb kalpanasvaram.

It would seem appropriate to offer some suggestions! Sivasakthi gives arohanas for Hindolam and Gambhiranata in Voyage V (tracks 2 and 3) and it would have been helpful to have arohanas and avarohanas for all the ragas in these Voyages.

The back of Voyage V's inlay shows the same menu as Voyage IV – though the booklet indeed matches the correct contents!

These are some problems with the booklets, and perhaps future releases of these invaluable discs could include some emendations. The most noticeable is the inconsistency between the (correct) cross-reference tables of the Intervals, Svarasthanas, in the booklets for Voyages III to V – and those for both the Ragam Tanam discs and the listed svaras given for the preceding ragas in those discs. Instances are in Voyage III's booklet wherein, right opposite the note – names list, where antra (sic) ga is, correctly ga3 appears the list of svaras for Mohanam (for Ninnu kori), that includes antara ga, there referred to as G2! Similarly, in the booklet for Ragam Tanam, disc II, Sankarabharanam's Ga and Ni are, wrongly, termed G2 and N2, despite, over the page their correct rank as Ga3 and Ni3.

The Divyanama kirtanas that Smt. Sivasakthi delightfully renders in Voyage IV (track 8) and Voyage V (track V) are in fact both of Western origin. Indeed, the tune, Pahi Ramachandra, is included in the Dikshitar repertoire of Western-origin melodies as Syamale Minakshi. M.B. Rajani discovered the French origin of Sarasanetra that features in Voyage V, in 2003.

Tirugnanasambandhar, Appar and Sundarar in fact composed all the Tevaram (in order: Books I-III, IV-VI and VII) not "most of" as stated in Voyage IV's booklet. So superb are the renderings of all these discs that one greatly hopes for commensurate notes!

Turning to the two Ragam Tanam discs, I comprises Kalyani and Todi, disc II Sankarabharanam and Kharaharapriya. These are interesting choices as all four belong to the Diatonic Series, whereby they are respectively the Ma, Ga, Sa and Ri murchhanas of Sankarabharanam.

All four adopt the same "Guru sishya" model for the alapanas. For these discs, Smt. Sivasakthi Sivanesan secured the expert collaboration of the renowned musician and scholar, Sri T.V. Gopalakrishnan. Teacher and "student" sing passages of alapana in canon.

All four alapanas show that, in this manodharma or improvisation-form, the "how to" can be taught but the actual result is up to the artiste herself. All provide a challenging learning-curve for the serious listener. One cannot rate Alapana, the musical essay on the chosen Raga, too highly.

For Sankarabharanam (Disc II, track 2) alone, this "teacher-student" pattern is followed in Tanam, which is further improvisation of the raga that now features pulse, though not rhythm. For the other three ragas on these discs, the master, Sri T.V.G. gives us his superb solo offerings.

What a joy to hear Smt. Sivasakthi and Sri T.V. Gopalakrishnan in these discs, and what a service Smt. Sivaskathi Sivanesan has done to Karnatic Music in this country and for the world at large.

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MRS. MARGARET SAVERIMUTTU: A gentle touch and a piercing whisper

I have studied under many remarkable teachers at the Jaffna Holy Family Convent. Margaret Saverimuttu whom we fondly called Margaret Teacher was indeed one of the many great educators who carry the hallmark of the Holy Family Convent. Like most of the teachers at the convent, she was academically gifted, talented, and eloquent and possessed all the noble qualities expected of a teacher. But, Margaret Teacher will be remembered by her students for her innocence and simplicity. Her character was shaped not only by her parents, but also by the Irish Holy Family nuns who established our convent one hundred and fifty years ago. We will remember her as a strong-willed determined disciplinarian with a disposition of serenity and radiance. She was a genuine person who had the gift to make a disenchanted child enchanted. She reached out and touched every child under her care. In her own softly-softly manner, she was a crusader who practiced, in Jaffna, the presentday United States law "No Child Left Behind". I was one of the fortunate children who had the opportunity to learn from this sincere person. The encouragement I received had a profound influence in my life. My narrative, henceforth, is drawn from the lasting memories of my childhood.

Margaret Teacher, in fact, taught a few generations of us. My aunt and some of my other teachers studied Latin and Tamil Literature from her. She was my English teacher in 1961 when I was twelve years of age. At that time she was the assistant principal of the Convent, a "Class Teacher", and the Head of Evangelist House, one of the four houses that we were grouped in at school for participating in competitive extracurricular activities. From dawn to dusk she laboured in caring for her family and her extended family—we, the girls of the Holy Family Convent.

The seventh class 'A' division room was situated on the ground floor of the upper school building facing the large school stage. Margaret Teacher would make each one of us stand on the stage and read a passage or a poem aloud. She made it mandatory that no child was left behind. We all had our chance. Pronunciation, eloquence and poise were the focus, and "I can do it" was the implicit motto. To date, I vividly remember an examination which included reciting a poem from a respected English poet, Christina G. Rossetti. The sheer enthusiasm that surrounded Margaret Teacher's class made us all very motivated. We wanted to please her. I memorized the poem. To make sure I knew it well, I also practiced reciting it to my father before I went to school.

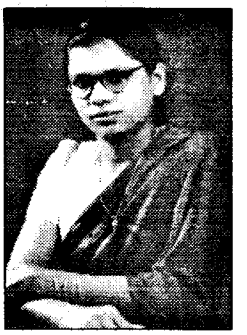
That day, in 1961, all thirty of the class were present. One by one we recited the poem. My classmates were all very good. They performed magnificently. Then came my turn.

When I am dead, my dearest,
Sing no sad songs for me;
Plant thou no roses at my head,
Nor shady cypress tree:
Be the green grass above me
.....

I paused after the fifth line.

With showers and dewdrops wet;
And if thou wilt, remember,
And if thou wilt, forget.

I stumbled again.



I looked at Margaret Teacher, who called me down. The show continued with the others taking their turns.

I was upset that I had not finished the poem and, more so, I was terrified at the thought of failing my English exam. When I came down from the stage, I felt the gentle touch of Margaret Teacher who whispered "That was very good Agnes. If you had finished the poem, it would have been excellent". She gave me 83% grade for English which I never expected. A seemingly uneventful event that took place 45 years ago left a profound and lasting effect on me. The gentle touch and the whisper of encouragement made a monumental difference to the self-esteem of a feeble, self-conscious, skinny little nervous girl.

Through performance art, Margaret Teacher brought a sense of realism and a modern perspective of humanity to the girls of the Holy Family Convent. Every year, she staged English and Tamil plays. She would always choose a play of Shakespeare. She relentlessly encouraged her children. Through gentle touch and piercing whispers "Little Girls" were constantly administered with boosts of confidence and doses of self-esteem. They indeed grew stronger in character. Little girls stood steadfastly by their convictions. The sixties' past pupils, Jacintha Benedict, Subothini Vandergoen, Vanitha Bastiampillai and Evangeline Jacob are examples of exemplary performers produced by the Holy Family Convent of Margaret Teacher era.

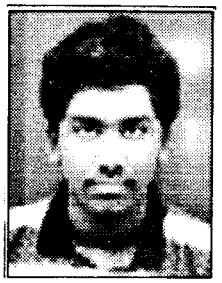
In 1962, the tragic death of her husband shook us all. They were building a beautiful new home very close to our school on the Jaffna Main Street. While her beloved husband, Chellam Peter Saverimuttu, brother of our late Antonia teacher (Mrs. Saminathar), viewed his house that was near completion from the edge of the Main Street, a CTB (Ceylon Transport Board) bus fatally knocked him down. Margaret Teacher returned to school to teach with her two young sons Gerard and Mark, while her baby daughter Amirthanjali was left under the good care of the children's beloved nanny Lily.

After teaching for forty years, Margaret Teacher retired from our school and joined St. Martin's Minor Seminary of Jaffna and, later, St. Francis Xavier's Major Seminary of Columbuthurai to teach English to the seminarians. Margaret Teacher was also a committed lay woman in the Catholic community of Jaffna. She represented Jaffna at the National Synod that took place after the Second Vatican Council in Rome. Her dedications to our Catholic Church, the Jaffna Diocesan Union and to the many charitable organizations were remarkable.

Margaret Teacher taught many generations of girls at the Holy Family Convent. We feel her gentle touch and draw strength from her firmness. Her reassuring whispers continue to linger. Mrs. Margaret Saverimuttu was 85 years old when she parted this world on 8th June 2006.

Agnes P. (Francis) Thambynayagam
St. Antony's College, University of Oxford, UK

YOUNG ACHIEVER IN ACCOUNTANCY



Balasundaram SUNDARA-BALAN has qualified as an ACCA affiliate at the young age of 18 from the prestigious and the largest UK based Accountancy Institute which has 260,000 students and 110,000 members in around 170 countries. The ACCA Singapore office has confirmed that at 18, Sundarabalan is the youngest ACCA in Singapore and possibly one of the youngest globally. Sunderabalan who followed his course from the Singapore Accountancy Academy (2005-2006) is also awaiting his B.Sc.(Honours) results in Applied Accounting from the Oxford Brooks University which qualifies him to follow his Masters in Finance/ Accountancy/Banking at Oxford. He had his IGSCE(Cambridge) from the Seychelles Independent school after his early education in Tamil Nadu and is now at Singapore Tamasek Junior College to sit the Advance Levels in November. He is also the Silver medallist having got the second place overall in Singapore and ranking in three subject globally. Sunderabalan is a keen cricketer having captained his school team in Singapore. He is the only child of Mr. Soma Balasunderam, a Chartered Accountant himself and Jeyaluxumy who are exporters from Singapore.

LATE CHINNATHAMBY TYAGARAJAH,

PRINCIPAL EMIRITUS, SKANDA VARODAYA COLLEGE – AN APPRECIATION

A popular figure in the educational and sports arenas of Sri Lanka, Thiagu to his friends, C.Tyagarajah passed away in Colombo on Sunday the 8th of October after a brief illness.

At Jaffna Hindu where he had his entire schooling he was the Senior Prefect, captained the school football team to many glories and was an outstanding athlete besides being an active debater and keen student. When he finished his degree at Peradeniya he was handpicked by none other than Orator Subramaniam as one of his able lieutenants into the portals of Skanda Varodaya. Whether in studies or sports Thiagu was one of the strong pillars to support orator who was then spearheading Skanda to great glories in the Sri Lankan educational horizons .Above all, being a local man, his public relations was at its best which built a strong bridge between the management and the parents. His popularity was so high that he ended up as one of the well accepted Principals of Skanda Varodaya which institution got the best out of Thiagu.

After spending the best part of his career at Skanda Varodaya, he moved into the educational administration as Circuit Education Officer Education Officer in different circuits, then as the Education Officer in the Regional Education office from where he retired from Government service as the Deputy Director of Education. After retirement he served as the Director of Sports at the Jaffna University campus which area was much after his heart. His loyalty and love for his Alma Mater was so high and sincere that he served in various capacities in the JHC OBA and was a source of strength during our OBA carnivals and building programmes. He was deeply religious, led a very simple life and was blessed with great humane qualities.

He is survived by his dear wife Yasothara, Principal Emiritus, Manipay Hindu Ladies College and their only son Ragulan in Sydney ,Australia. May his soul attain the all the glories.

V.Sivasupramaniam - Seychelles

Autralian Newsletter

Deepavali celebrations in New Zealand may envy many around the globe. New Zealand's Governor General Satyanand along with Prime Minister Helen Clark ceremoniously launched this year's celebrations in Auckland's Central Business District. Auckland is the home of a large number.of migrants from South East Asia and Deepavali was celebrated across the region with great fanfare. The active participation of New Zealand polity in these celebrations and despite gruelling political climate both Prime Minister Clarke and Leader of the Opposition Dr Brash sharing the dais during celebrations were no doubt positive reflections of New Zealand.

A study has established that unhealthy dietary habits including large intake of junk foods and fizzy drinks and lack of exercise along with over estimation of self-health are baneful to ethnic groups and in particular to those from South East Asia. It is also revealed that children in the age group of 5 to 14 with South East Asian lineage were more likely to be hospitalised for asthma than others and conclusively recommends greater awareness on health issues.

The political climate and the conflicts in the Tamil homeland of Sri Lanka dominated the social arena in Australia and several campaigns were initiated to create greater awareness among local communities, NGO's and the government.

K J Yesudas, one of the popular play back singers of yesteryear toured Australia and New Zealand recently and his concerts attracted unusually high numbers in all major centres.

- Sivasupramaniam Sitsabesan

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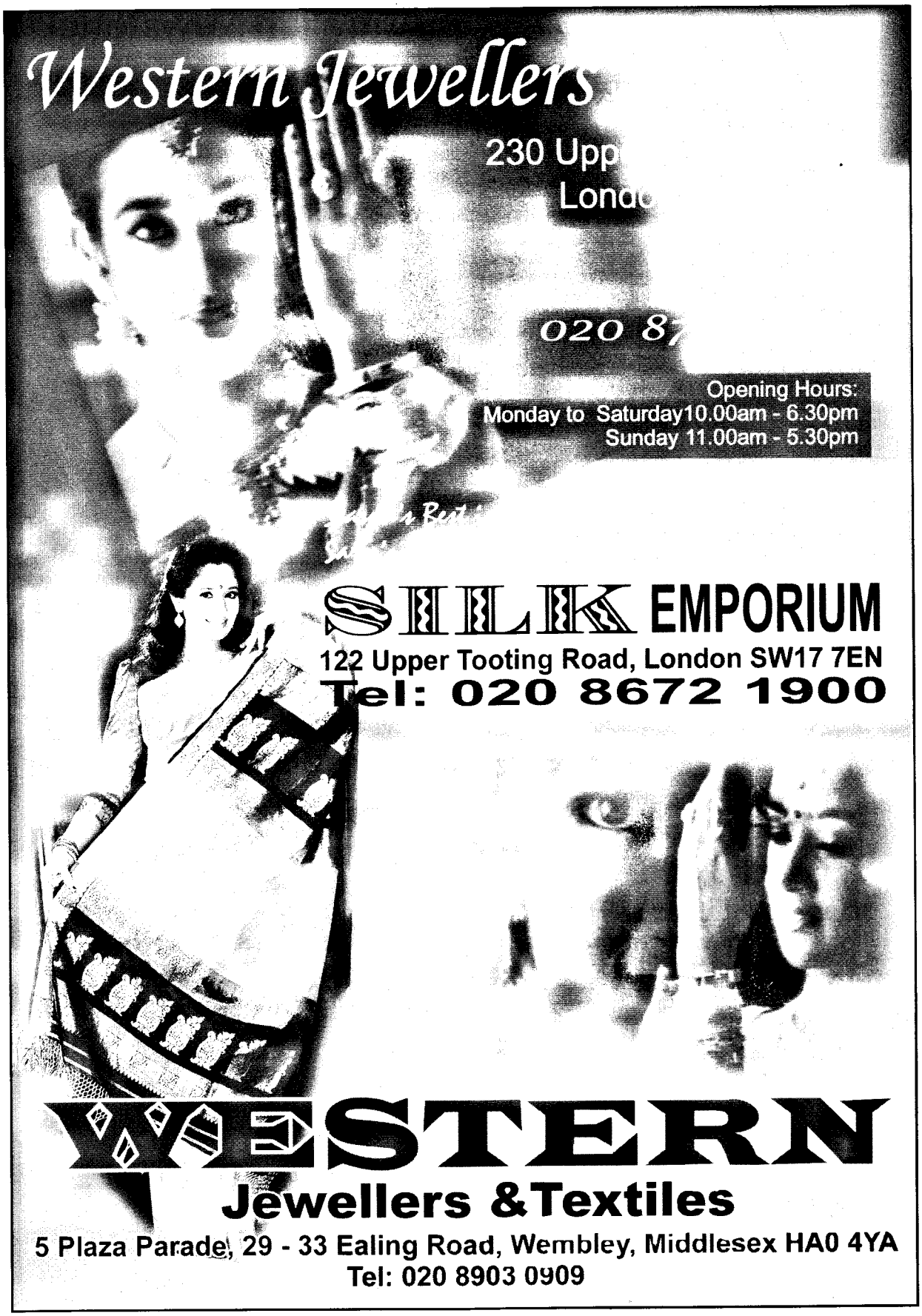
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